





# THE CANTONMENTS (HOUSE ACCOM-MODATION) ACT, 1902 (II OF 1902)

[As modified up to 1st June, 1910]

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# ACT No II of 1902[1]

[14th I chruary 1902]

An Act to make better provision for securing house-accommodation for military officers in cantonments

[As modified up to 1st June 1910 ]

WHEREAS various conditions, rules, regulations and orders have from time to time been laid down by, or by the authority of, the Government, in regard to the grant of land and the occupation of land and houses in cantonments, with the object of securing, amongst other things, that houses built on such land should be made available when required for the accommodation of military officers.

And whereas, notwithstanding the said conditions, rules, regulations and orders, difficulties have frequently been experienced in obtaining house accommodation in cantonments for military officers, and it is expedient to make better provision for that purpose.

It is hereby enacted as follows -

### CHAPTER I

#### PRELIMINARY

1. (1) This Act may be called the Cantonments Short in le (House-Accommodation) Act, 1902

(2) It extends to the whole of British India (in- wit clusive of British Baluchistan), except Aden, and

(3) It shall come into force at once, but it shall not become operative in any cantonment or part of a cuntonment until the issue, or otherwise than in pursuance, of a notification as hereinafter provided by section 3

2. (1) In

<sup>[1</sup> For Statem at of Olyecta and Peasons see Cazette of India 1833 Pt. V p 364 f r Lep rf of the Select Committee see 16.1 1902, Pt. V, p 9 for Proceed may of Council see 16.6, 1833 Pt. VI, p. 335 pt. of, 1921, Pt. VI p. 220 16.6 1902 Pt. VI pp 2.8 112.

8 Cantonments (House-Accommodation) [ACT II (Chapter I — Preliminary. — Section 2.)

Definitions

2. (1) In this Act, unless there is anything repugnant in the subject or context,-

(a) "Cantonment Authority" means a Cantonment Committee, or, in the case of a cantonment for which such a Committee has not heen constituted, or has ceased to exist, or cannot he convened, the Com

manding Officer of the cantonment

[1] (b) Division "means one of the Divisions into which the Army in India is, for the time being, divided, and includes the Bannu, Derajat and Kohat Independent Brigades

(c) 'Officer Commanding the Division' means the Officer Commanding a Division, and includes the officers commanding the Bannu, Derajat and Kohat Brigades

(d) 'house' means a house suitable for occupation by a military officer, and includes the land and buildings appurtenant to such house

(e) "military officer" means a commissioned or warrant officer of His Majesty's regular forces on military duty in a cantonment, and includes a Chaplain, a Cantonment Magistrate and any person in Army de partmental employment whom the [2] [Officer Commanding the Division] may at any time, for the purposes of this Act, place on the same footing as a military officer.

(f) "owner" includes the person who is receiving, or is entitled to receive, the rent of a house, whether on his own account or on behalf of himself and others or as an agent

, Appendix II

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agent or trustee, or who would so receive the rent, or be entitled to receive it, if the house were let to a tenant; and

(g) the expression "repairs" to a house includes such repairs as are usually made to houses in the neighbourheed, but does not include additions, improvements or alterations except in so far as they are necessary to earry out such repairs as aforesaid or have been made with the owner's consent.

(2) If any question arises whether any land or building is appurtenant to a house, it shall be decided by the Cantonment Magistrate, whose decision thereon shall, subject to revision by the District

Magistrate, be final.

# CHAPTER II.

Application of Act. [4]
3. (1) The Local Government, with the previous Cash aments sanction of parts of

But. Cant Barr (Chapter II — Application of 1ct — Section 4 Chapter III — Appropriation of Houses for Or cupation by Military Officers — Sections 5-6;

Cas tonments in which Act to be opera

sanction of the Governor General in Council, may, by [1] notification in the local official Gazette, de clare this Act to be operative in any cantonment or part of a cantonment situate in the territories under its administration, other than a cantonment situate within the limits of a Presidency town

(2) Before issuing a notification under sub-section (1) in respect of any contonnent or part of a cantonnent the Local Government shall cruse local inquiry to be made with a view to determining whither it is expedient to issue such notification and whit portion (if any) of the irrea proposed to be in clided therein should be eveluded therefrom

Saving of written in struments 4 Nothing in this Act shall affect the provisions of any written instrument executed by or on beliaff of the East India Company or the Government, unless the other party entitled and the Secretary of State for India in Council consent in writing to be bound by the terms of this Act

## CHAPTER III

# APPROPRIATION OF HOUSES FOR OCCUPATION BY MILITARY OFFICERS

Liabil ty of houses to appropriat on for occu pat on by military officers

Appropria t on of house for military officer, where not already occup ed by a mil tary officer

5 Every house situate in a cantonment or part of a cantonment in respect of which a notification under section 3, sub-section (1), is for the time being in force, shall be liable, subject to the provisions hereinafter contained, to appropriation at any time for occupation by a military officer.

6. Where the Cantonment Authority, on application made to it as hereinafter provided by section 8 and subject to the requirements of that section, considers that the liability imposed by section 5 should be enforced on behalf of a military officer, it may, if the house 1s not already occupied by a military officer, by notice—

(a) require the owner to let the house to the military officer named in the notice and

(b) require

## (Chapter III - Appropriation of Houses for Occu pation by Military Officers -Sections 7 8)

- (b) require the existing occupies (if any) to vaeate the same
- 7. If a house is alierdy occupied by a depart- appropriate mental military officer, and the Cantonment Author ity, on application made to it as hereinafter pro-regimental vided by section 8 and subject to the requirements of officer, where that section, considers that the hability imposed by already section 5 should be enforced on behalf of a regimen department tal officer, or rice rersa, it may, by notice, require the matrix officer in occupation to vacate the house, and may, if necessary by further notice require the owner to ac cept the change of tenancy

8. (1) Where a military officer considers that a I reced to to notice should be issued in his behalf under section 6 before appro or section 7, as the case may be, he may request the printing Commanding Officer of his regiment, or (in the case house of a departmental military officer) the local head of his department, to make an application to that effect to the Cantonment Authority

- (2) On receipt of an application made under sub section (1), the Cantonment Authority shall inquire into the case and it shall not issue the notice applied for unless it is satisfied-
  - (a) that it is necessary or expedient for the military officer to reside in the cantonment, or, if this Act is in force in part of the cantonment only, then in that part,
  - (b) that the circumstances are such as to require its intervention.
  - (c) that the monthly rent proposed for the liouse is reasonable, and
  - (d) that the house is suitable for the residence of the officer and, if it is occupied, that there is no vacant house in the cantonment or the said part of the cantonment as the case may be, which is suitable for his residence

(Chapter III — Appropriation of Houses for Occupation by Military Officers — Sections 9-10)

Explanation I —Where the rent of a house is registered in the office of the Cantonment Authority, the rent so registered shall be presumed, until the contrary is shown, to be the reasonable rent for the house

Explanation II —In considering whether a house is suitable for the residence of a military officer, regard shall be had to—

- (i) the locality in which his duties chiefly lic,
- (ii) his rank, and
- (111) the number of persons dependent upon, and residing with, him
- Every notice to an owner issued under section 6 or section 7 shall state the amount of monthly rent proposed as reasonable for the house
- 10 (1) No house in any cantonment or part of a cantonment in which this Act has been declared by a notification under section 3, sub-section (1), to be operative shall, unless it was so occupied at the date of such notification, be occupied for the purposes of a hospital, hank, hotel, shop or school, or by a railway administration, without the previous sanotion of the [7] [Officer Commanding the Division] given with the concurrence of the Local Government
- (2) Before application is made for such sanction as aforesaid, the Commanding Officer of the cantonment shall certify whether or not in his opinion the number of houses in the cantonment, as compared with the strength of the existing or probable garrison, renders it likely that such occupation as afore said would—
  - (a) cause any difficulty in obtaining accommodation in the cantonment, or in the part of the cantonment in which the house is situate, for military officers, or
    - (b) necessitate the acquisition of land at some future

Notice to state that reason ablo rent is offered sanct on to be obtained before a house is occuped as a host fall bank hotel, shop or school or by

a ra lway

t on

administra.

<sup>[1]</sup> Substituted for the words General Officer of the Command by the Amending (Army) Act 1909 (5 of 1909) Genl Acts Vol VI, Appendix II

(Chapter III - 1 ppropriation of Houses for Oc cupation by Military Officers -Sections 11-13)

> future time for the extension of the cantonment.

- 11. No notice shall be issued under section 6, if House not the house-
  - (a) was occupied prior to the date of a notifica officers in tion under section 3, sub section (1), de certain cases claring the Act to be operative in the cantonment or part of the cantonment, or is occupied with the sanction required by section 10, as a hospital, hank, hotel, shop or school, and has been so occupied continuously during the three years immediately preceding the time when the occasion for issuing the notice arises, or
  - (b) was occupied prior to the date of such a notification as is referred to in clause (a), or is occupied, with the sanction aforesaid, hy a railway administration, or

(c) is occupied by the owner, or

(d) is appropriated [1] by the Local Government, with the concurrence of the [2] [Officer Commanding the Division] or by the Governor General in Council, for use as a public office or for any other purpose

12 (1) If a house is unoccupied, a notice issued Time to be under section 6 may require the owner to give possess son of the same to the proposed tenant within four session of the same to the proposed tenant within four beautiful to the proposed tenant within four bounds. days from the service of the notice

(2) If a house is occupied, a notice issued under section 6 or section 7 shall not require its vacation in less than thirty days from the service of the notice

13. If the owner fails to give possession of a surrender house to the proposed tenant in pursuance of a notice of house when to be issued under section 6 or section 7, or if the existing enforced. occupier

[1] For l st of houses in certain cantonments so appropriated by the

pendix 11

11 Cantonments (House Accommodation) [ACI II

(Chapter III - 1 ppropriation of Houses for Occupation'by Military Officers - Sections 14-15)

occupier fails to vacate a house in puisuance of such a notice, the Cantonment Magistrate, by himself or by another person generally or specially authorized by him in this behalf, shall enter ou the premises and enforce the surrender of the house

Option in certain cues for owner on whom notice is issued under section 7 to call upon the military officer concernment to purchase

- 14. (1) If a house in respect of which a notice is issued under section 6 or section 7 is shown to the satisfaction of the Local Government, or is proved by a decree or order of a Court of competent juris diction to have been creeted.—
  - (a) under any conditions inles, regulations of orders which were in force in Bengal prior to the eighth day of December 1864, and conferred on the owner the option of offering the house for sale to the military officer applying for its appropriation for his occupation or to the East India Company or the Government, or
    - (b) under any conditions, rules, regulations or orders which were in force in Bombay prior to the first day of June, 1875, and conferred such an option as is described in clause (a).

then the owner shall have the option of either complying with the notice or offering the house for salo to the military officer in whose behalf the notice was issued, or to the Government

(2) If the owner cleets to sell the house, and such military officer or the Government is willing to purchase it, the amount of the purchase-money to be paid shall, in the event of disagreement, be determined by a Committee of Arhitration

Provision where tenant required to varate holds under a long lease

15. (1) If a house is occupied by a tenant holding in good faith and for valuable consideration under a registered lease for any term exceeding one year, or from year to year, no notice shall be issued 1902.] Cantonments (House-Accommodation).

(Chapter III.—Appropriation of Houses for Occupation by Mulitary Officers.—Section 16.)

under section 6 or section 7 without the previous sanction of the Officer Commanding the [1] [Division.]

(2) If a house, in respect of which a notice is issued under section 6 or section 7, is occupied by a tenant holding in good faith and for valuable consideration under a registered lease for any term exceeding one year, the Secretary of State for India in Council shall, for the term of one year from the date on which the house is vacated in pursuance of the notice, or for the unexpired term of the lease, whichever is the shorter, he liable to the owner for the rent payable under this Act or, if no rent is so payable, for the rent fixed by the registered lease.

(3) If a house, in respect of which a notice is issued under section 6 or section 7, is occupied by a tenant holding in good faith and for valuable consideration under a registered lease from year to year the Secretary of State for India in Council shall he liable as aforesaid for the term of six months from the date on which the house is vacated in pursuance

of the notice.

(4) Nothing in this section shall be deemed—

(a) to render the said Secretary of State in Council so liable unless an application in writing in this behalf is made hy the owner to the Cantonment Authority within fifteen days from the service of the notice: or

(b) to limit or otherwise affect any agreement between the said Secretary of State in

Council and the owner.

16. (1) Subject to the terms of any agreement Terms of in writing hetween an owner and a military officer, tenancy and to the provisions of this section, every lease of a military house to such an officer shall be deemed to be a lease officer. from month to month, terminable,—

(a) without notice, in the case of a Committee of Arbitration deciding, as hereinafter provided

<sup>[&#</sup>x27;) Substituted for the word " District " by the Amending (Army) Act, 1909 (5 of 1909), Genl. Acts. Vol. VI, Appendix II.

16 Cantonments (House Accommodation) [ACT 1

(Chapter III — Appropriation of Houses for Occupation by Military Officers — Sections 17-18)

provided, that the house has become unfit for occupation.

- (b) hy half a month's notice to the owner, in the case of the departure of the officer from the cantonment on duty or under medical certificate, and
- (c) hy one month's notice to the owner, in any other case
- (2) The Cantonment Magistrate shall, if the military officer so desires, cause the notice required by subsection (1) clause (b) or clause (c) to be served on the owner
- (3) Where a military officer has, in pursuance of sub section (1) clause (a), given up his occupation of a house without notice and has occupied the house during a portion only of the calendar month in which his occupation ceased, he shall he liable to pay as rent for that portion a sum hearing the same proportion to the monthly rent as the said portion hears to the whole month
- (4) Where a notice in respect of a house has been issued under section 6 or section 7 and the house has been vacated in pursuance thereof, the tenancy of the military officer in whose behalf the notice was issued shall be deemed to have commenced on the date on which the house was vacated

Sub lease vo dable at opt on of owner 17. If the tenant of a house, heing a military officer, suh lets the same without the consent of the owner, the suh lease shall be voidable at the option of the owner

Power for owner to require refer ence to arb trat on on question of rent 18. (1) If the owner considers that the rent stated in a notice in accordance with section 9 is not leasonable, he may, within a period of fifteen days from the service of such notice, require that the matter be referred by the Commanding Officer of the cantonment to a Committee of Arhitration.

- 1902 | Cantonments (House-Accommodation), 17
- (Chapter III .- Appropriation of Houses for Occupation by Military Officers .- Sections 19-21.)
- (2) If the owner does not make such a requisition within the said period, he shall be deemed to have accepted the rent so offered
- (3) The rent fixed by a Committee of Arbitration or accepted by the owner under this section shall be deemed to be the rent payable by the military officer in whose behalf the notice was issued, as from the commencement of his tennney, and the amount of such rent shall not be called in question by either party, except in the circumstances mentioned in section 21, clause (a)
- 19. (1) If the owner fails to execute any repairs Power for to a bouse which the tenant, being a military officer, require considers necessary, the Cantonment Authority may, refrence to at the request of the tenant and if it is satisfied that the such repairs or any of them are necessary, by notice of repairs, require the owner to execute such repairs, or such of them as it may consider necessary, within a period. not less than fifteen days, to be specified in the

(2) If the owner objects to comply with a notice issued under sub-section (1), he may, within fifteen days from the service of the notice, require that the matter be referred by the Commanding Officer of the eantonment to a Committee of Arbitration.

notice.

20. If the tenant of a house, being a military Power for officer, considers that his lease should be terminable military without notice in consequence of the house having regular re become unfit for occupation, he may require that the areas altistation matter be referred by the Commanding Officer of the on question cantonment to a Committee of Arbitration.

Lecome unfit for occura-

21. If the owner and the tenant of a house, being Power for either owner a military officer, disagreeor military

(a) as to any change in the rent of the house require which is proposed in consequence of reference to dilapidations or additions to buildings or on other for any other similar reason, or questions,

- 18 Cantonments (House-Accommodation) [ACT II
- (Chapter III Appropriation of Houses for Occupation by Military Officer. — Sections 22 23)
- (b) on any matter relating to rent or repairs not otherwise provided for by this Act, either the owner or the tenant may require that the matter be referred by the Commanding Officer of the cantonment to a Committee of Arbitration

Power for military tenant to lave repairs executed and recover

- 22. Where-
  - (a) the owner fails to comply with a notice is sued under section 19, sub-section (1), and has not, within fifteen days from the service of such notice, required that the matter be referred to a Committee of Albitration, or
  - (b) a Committee of Arbitration decides that repairs are necessary and the extent to which they are necessary, and specifies the period within which they are to be executed, and the owner fails to execute them within such period.

the Military Works Services or the Public Works Department shall, on the application of the tonant of the house being a military officer cause the repurs specified in the notice or if the matter has been referred to a Committee of Arbitration, in the decision of the Committee, to be executed at the expense of the tenant, and the tenant may deduct the cost thereof from the rent, or otherwise recover it from the owner

Not ce to be g ven of devolution of interest in louse in canton ment. 23 Every person on whom devolves, by transfer, by succession or by operation of law, the interest of an owner in any house, or in any part of any house, situate in a cantonment or part of a cantonment in respect of which a notification under section 3 subsection (1) is for the time being in force, shall be bound to give the Cantonment Magistrate notice of the fact within one month from the date of such devolution, and if he without leasonable cause, talls to do so shall be punishable with fine which may extend to fifth rupees

CHAPTER IV

1902.] Cantonments (House-Accommodation), 19 (Chapter IV .- Committees of Arbitration .- Sec-

# tions 24-26.)

### CHAPTER IV.

## COMMITTEES OF ARBITRATION

24. In the event of any disagreement as to the convening amount of the purchase-money of a house to be sold mutter. under section 14, suh-section (2), the Cantonment Arbitration in cases Authority shall apply to the Communiting Officer of falling under the cantonment to refer the matter to a Committee section 14, of Arbitration, and the Commanding Officer of the tion (2). cantonment shall forthwith proceed to convene a Committee of Arbitration to determine it.

25. Where a requisition is made to the Com- convening manding Officer of the cantonment by an owner of Comunder section 18, section 19 or section 21, the Com- Arbitration manding Officer of the eantonment shall forthwith on requiproceed to convene a Committee of Arhitration- owners

- (a) to determine the amount of monthly rent to be paid, or
- (b) to determine whether any, and (if any) what, repairs are necessary, the extent to which they are necessary, and the period within which they are to be exccuted, or
- (c) otherwise to determine the question in dispute.
- 26. (1) Where a requisition is made to the Com-Convening manding Officer of the cantonment by a military of the officer under section 20 or section 21, the Command-Arbitation ing Officer of the cantonment may, after such in- stion of quiry as he may think fit to make, proceed to convene military a Committee of Arbitration-
  - (a) to determine whether the house has become unfit for occupation, or
  - (b) to determine the amount of monthly rent to be paid, or
  - (c) to determine whether any, and (if any) what, repairs are necessary, the extent

20 Cantonments (House-Accommodation). [ACT II

(Chapter IV .- Committees of Arbitration .- Sections 27-28.)

> to which they are necessary, and the period within which they are to be executed, or

(d) otherwise to determine the question in dis-

pute.

(2) In the exercise of the discretion vested in him by sub-section (1), the Commanding Officer of the cantonment may refuse to convene a Committee of Arbitration on the ground that the application therefor is groundless or frivolous.

Procedure for convening Committee generally.

27. (1) Where a Committee of Arhitration is to be convened, the Commanding Officer of the cantonof Arbitration ment shall forthwith cause an order to be published in Station Orders, stating the matter to be determined.

> (2) The Cantonment Magistrate shall forthwith send a copy of such order to the District Magistrate and to the parties concerned, and shall forthwith by notice require the parties to nominate members of the Committee in accordance with the provisions of sections 28 and 29.

Constitution of Comsist ofmittees of Arbitration.

28. Every Committee of Arhitration shall con-

- (a) a chairman, who shall be the District Magistrate, or, if the District Magistrate is unable to act on the Committee, some Magistrate, being a Justice of the Peace or Magistrate of the first class, and not being the Cantonment Magistrate, appointed by the District Magistrate to act in bis stead:
- (b) a member to be nominated by the military officer concerned: and
- (c) a member to be nominated by the owner concerned:

Provided that, if the military officer and the owner, at any time before the meeting of the Committee, join in nominating, by notice to the Cantonment

## (Chapter IV .- Committees of Arbitration .- Sections 29-30)

ment Magistrate, any other person as chairman, such person shall be the chairman instead of the District Magistrate or the Magistrate (if any) appointed by the District Magistrate under clause (a), and

Provided, also, that,-

- (i) if the officer or the owner fails, without reasonable eause, to nominate a member within seven days from the date on which he may be ealled upon to do so, or,
- (ii) if any member, who has been nominated, neglects or refuses to act, and the officer or the owner, as the ease may he, fails to nominate another member in his place within seven days from the date on which he is called upon to do so,

the District Magistrate shall fortbwith appoint a member in the place of the nomince of the officer or owner, as the case may he

29. (1) No person who has a direct interest in Members of the matter under reference or whose services are not of Arbitra immediately available for the purposes of the Com- tion to be mittee, shall be nominated or appointed a member persons who of a Committee of Arbitration

- (2) If any person who has been nominated has, whose in the opinion of the District Magistrate, a direct immediately interest in the matter under reference, or if his ser-available vices are not immediately available as aforesaid, and if the officer or the owner, as the case may be, fails to nominate another member in his place within seven days from the date on which he is called on so to do, such failure shall be deemed to constitute a failure to make a nomination within the meaning of section 28
- 30. (1) When a Committee of Arbitration has Meetings and been duly constituted, the Cantonment Magistrate Committees shall by notice inform each of the members of the of Artitra-

fact, and the Committee shall meet as soon as may be thereafter.

(2) The Committee shall have power to receive evidence and to administer oaths to witnesses, and the Cantonment Magistrate shall issue the necessary processes for the attendance of witnesses and the production of documents required by the Committee, and may enforce the said processes as if they were processes for attendance or production before himself

Powers of chairman of Committee of Arbitration as to meetings

meetings
Calculation
of amount of
purchase
money by
Committee
of Arbitration.

- 31. The chairman of the Committee of Arhitration shall fix the time and place of meeting, and shall have power to adjourn the meeting from time to time as may be necessary
- 32. In determining the amount of the purchasemoney to be paid for a bouse to be sold under section 14, sub-section (2), the Committee of Arhitration convened under section 24 shall estimate the market-value of the house at the date on which the notice was served on the owner under section 6 or section 7, as the case may be

Calculation of reut by Committees of Arbitration 33. Subject to the presumption mentioned in the first explanation to section 8, in determining the amount of monthly rent to he paid for a house, the Committee of Arhitration shall estimate the letting-value of the house, and shall have regard to, amongst other things, the circumstances of the neighbourhood and the period of time and season for which the house is likely to be occupied during the year

Decisions of Committees of Arbitra tion.

34. (1) The decision of every Committee of Arbitration shall be in accordance with the majority of votes taken at a meeting at which the chairman and at least one of the other members are present

(2) If there is not a majority of votes in favour of any proposed decision, the opinion of the chairman shall prevail.

(3) The decision of a Committee of Arhitration shall be final

18-7

(Chapter V -Appeals -Sections 35 38)

## CHAPTER V

#### APPEALS

- 35. (1) If any owner or any tenant of a house is Appeal when aggrieved by a notice issued under section 6 or sec tion 7, he may appeal to the [1] [Officer Commanding the Division
- (2) No such appeal shall be admitted unless made within a period of twenty one days from the service of the notice aforesaid, and such period shall be computed in accordance with the provisions of the [2] Indian Limitation Act, 1877, with respect to the computation of periods of limitation thereunder
- 36. (1) Every petition of appeal shall be in writ retation of ing and accompanied by a copy of the notice ap appeal pealed against

(2) Any such petition may be presented to the Cantonment Authority, and that Authority shall be bound to forward it to the ['] [Officer Commanding the Division,] and may attach thereto any report which it may desire to make in explanation of the notice appealed against

(3) If any such petition is presented direct to the [1] [Officer Commanding the Division] and an immediate order on the petition is not necessary, the [1] [Officer Commanding the Division] may refer the petition to the Cantonment Authority for report

37. The decision of the [1] [Officer Commanding Order to the Division] on any such appeal shall be final

Provided that no appeal shall be decided until the appellant has been heard or has had a reasonable opportunity of being heard

38. Where an appeal from a notice has been pre Suspension sented within the period prescribed by section 35, predag sub section (2), all action on such notice shall, on the appeal application

[1] Substituted for the words General Officer of the Command by the Amending (Armv) Act 1909 (5 of 1909) Genl Acts Vol VI Ap pend x 1I ['] See now the Indian Lamitation Act, 1908 (9 of 1908), Genl Acts, Vol. VI

21 Cantonments (House Accommodation) [ACT II (Chapter VI -Supplemental Provisions -Section

application of the appellant, be held in aheyance pending the decision of the appeal

## CHAPTER VI

## SUPPLEMENTAL PROVISIONS

Recovery of rents from mil tary tenants 11 cantonments

- 39. (1) If a military officer is given possession of a house in pursuance of a notice issued under section 6 or section 7, the rent payable by such officer under this Act shall he registered by the Cantonment authority in a register to he maintained in such form as the Local Government may, by [1] rule, pic scribe
- (2) If such officer fails, before the fifteenth day of any month, to pay the rent so registered and duc from him in respect of the month immediately pre ceding, the Cantonment Authority, if so satisfied, shall, on the application of the owner made before the end of the later month, report the matter, through the proper channel, to the Officer Command ing the [2] [Division ]
- (3) The Officer Commanding the [2] [Division] may if he is satisfied that the amount claimed is still due, order that it be withheld from the salary and allowances of the defaulting officer, and, upon notice of the order to the officer whose duty it is to disburse such salary and allowances, such dishursing officei shall, unless such salary and allowances are under attachment by order of a Civil Court, withhold and remit to the Cantonment Authority, for payment to the owner, the amount specified in the order
- (4) If, within two months from the date of an application made by the owner under sub section (2) on

<sup>|</sup> For rule made by the Government of Eastern Bengal and Assam eee
Notification No 1250 dated 16th March 1955 Eastern Bengal and
For rule made by the Government of United Provinces ee Notification
No 616-XI 191 dated 5th February, 1959 United Provinces Coazette
1958 Ft 111, p 45
[7] Substituted for the word District by the Amending (Army)
Act 1950 (6 of 1950) Geal Act Vol VI, Appendix II

## (Chapter VI.-Supplemental Provisions .- Sections 40-42.)

on which the Officer Commanding the [1] [Division] has made an order under suh-section (3), the amount of the rent in respect of which such application and order were made is not paid to the owner, the Cantonment Magistrate shall, on the application of the owner, require the defaulting officer to vacate the house within four days, and, if such officer fails to do so, the Cantonment Magistrate shall, by himself or hy another person generally or specially authorized hy him in this behalf, enter on the premises and enforce the surrender of the house.

40. Every notice or requisition prescribed by this Service of Act shall he in writing, signed by the person hy requisitors whom it is given or made or hy his duly appointed agent, and may he served hy post on the person to whom it is addressed, or, in the case of an owner who is absent from the cantonment, on his agent appointed under section 226\* of the [2] Cantonment

Code, 1899.

41. (1) The Governor General in Council may Power for make [ ] rules to carry out the purposes and objects Octenor of this Act.

Council to

(2) In particular and without prejudice to tho generality of the foregoing power, such rules may-

(a) regulate the procedure of Committees of Arhitration: and

- (b) define the powers of inspection and entry which may be exercised in earrying out the purposes and objects of this Act or of any rule thereunder.
- 42. (1) The power to make rules under section Further 41 shall be subject to the condition of the rules being proving made after previous publication and of their not tak-

ing

<sup>[1]</sup> Substituted for the word "District" by the Amending (Army) Act 1909 (5 of 1909) Genl Acts Vol. VI, Appendix II

26 Cantonments (House-Accomdtn) [ACT II, 1902] (Chapter VI - Supplemental Provisions - Sections 43-44)

ing effect until they have been published in the Gazette of India and in such other manner (if any) as the Governor General in Council may direct

- (2) Any rule under section 41 may be general for all cantonments or parts of cantonments in British India in which this Act is for the time heing operative, or may be special for any of such cantonments. or parts, as the Governor General in Council may direct
- (3) A copy of the rules under section 41 for the time being in force in a cantonment shall be kept open to inspection free of charge at all reasonable times in the office of the Cantonment Authority
- (4) In making any rule under section 41, sub section (2) clause (b) the Governor General in Coun cil may direct that whoever obstructs any person, not being a public servant within the meaning of sec tion 21 of the [1] Indian Penal Code, in making any VIV of it inspection or entry, shall be punishable with fine which may extend to fifty rupees, and in the case of a continuing offence with fine which, in addition to such fine as aforesaid, may extend to five rupees for every day after the first during which such offence continues

43. No Judge or Magistrate shall be decided,

within the meaning of section 556 of the Code of [2] Criminal Procedure, 1898, to he a party to, or per v of 1898.

sonally interested in, any prosecution for an offence

against any rule under this Act merely hecause he is

a member of the Cantonment Committee or has or

Inappi ca bility of of the Code of Criminal Procedure 1898, to trials of offences aga nat

dered or approved the prosecution rules 44 No suit or other legal proceeding shall lie Protection to persons

against any person for anything done, or in good faith intended to he done under this Act or in pui suance of any lawful notice or order issued under this Act

acting under Act

## RULES MADE UNDER

THE

CANTONMENTS (HOUSE ACCOMMODATION) ACT, 1902 (II OF 1902).



## MILITARY DEPARTMENT.

## CANTONMENTS

Fort William, the 16th February 1906

No 117 In exercise of the powers conferred by section 41 of the Cantonments (House Accommodation) Act, 1902 (II of 1902), the Governor General in Council is pleased to make the following rules for all cantonments or parts of cantonments in British India in which the said Act is for the time heing operative —

 Every notice prescribed by section 6 may be in the appropriate form set forth in Schedule A with such variations as the circumstances of each case require

2. Any notice required by these rules, if not served by post under section 40, may be served by any person authorised by the Cantonment Magistrate in this behalf.

(a) by giving or tendering a duly signed copy thereof to the person to whom it is addressed, or

(b) where the notice cannot be served as prescribed in clause (a), by causing it to bo affixed to some conspicuous part of the house to which it relates, and hy puh lishing it in one vernacular and one English daily newspaper

3. Every position of appeal under section 35 shall state the grounds of appeal

4. When a Committee of Arbitration, herein after referred to as "the Committee" has been duly constituted and each of the members thereof inform the fact, as provided i the Chairman

of the h from receipt of such notice, fix the time and place of meeting and give notice in writing of the same to the other members of the Committee, and, through the Cantonment Magistrate, to the parties concerned

5. The notice given to the parties under the preceding rule shall state the purpose for which the Committee will assemble, and shall contain a direction to them to produce their evidence, oral and documentary, on the date fixed, or if they are unable to do so, to forward to the Chairman at least seven days prior to the day of the meeting, a list of the witnesses whom they desire to be summoned in their behalf, either to give evidence or to produce documents relating to the matter in dispute.

6. On receipt of the lists of witnesses and documents, if any, the Chairman shall, if he considers the request made for the attendance of the witnesses named and the production of the documents called for to be reasonable, transmit the list to the Cantonment Magistrate for issue of the necessary processes under section 30 (2) of the Act If he considers the attendance of any witness named or the production of any document called for to be unnecessary, he shall inform the party concerned and the point whether such witness should he summoned or such document called for shall be determined by the Committee at their first meeting.

7. It shall be open to the Chairman to call for the attendance of witnesses or the production of documents other than those named by the parties and to transmit a list of these to the Cantonment Magistrate for action.

8. The Chairman shall record in the award the question for decision, the number of the Station Order convening the Committee, the names and status of the members thereof, and the decision arrived at. The award shall be signed by the Chairman, and shall be forwarded by him in duplicate to the Cantonment Magistrate for disposal

 The Committee shall have power to correct any clerical mistake or error in their award which may have arisen from any accidental slip or omission.

10. The Committee, or any of their number or any person especially authorised by them in this be-

half, may enter into or on any building or land, which is the subject of arhitration, and may make such inspection, aided, if required, by expert evidence, as they may think fit

11. Every requisition for reference of any ques tion to a Committee of Arhitration shall set forth the grounds upon which the applicant relies

12. Where any member of the Committee of Arhitration dies or becomes incapable of acting, the officer or owner, as the case may he, who nominated him shall nominate another person in his place within seven days from the date on which he is called upon to do so, and, if he fails to do so, the District Magistrate shall forthwith appoint a member in his place

13. The parties shall be entitled to appear at and be heard at the meetings of the Committee of Arbitration, or at the hearing of appeals under Chapter V, either in person or through duly quali

fied pleaders

14. The Chairman shall furnish a copy of the award to each of the parties free of charge and shall then forward the original to the Cantonment Magis trate

15. The powers of entry conferred by section 13 and section 39, sub section (4), and the powers of entry and inspection conferred by rule 10 shall only be exercised between sunrise and sunset

Provided that-

(1) no building or land which may be occupied at the time shall be entered, unless with the consent of occupier thereof, without twenty four hours' written notice having been given to the said occupier.

(2) when any building used as a human dwelling is entered, due regard shall be paid to the social and religious sentiments of the occupiers; and no npartment in the actual occupance of a noman shall be en tered until she has been informed that she is at liberty to withdraw, and every naconable reasonable facility has been afforded to her for withdrawing.

- 16. No person in military employ below the rank of Non-Commissioned Officer shall be authorised under the provisions of section 13 or 39, sub-section (4), or of rule 10.
- 17. Whoever obstructs any person authorised to inspect or enter a bouse, such person not being a public servant within the meaning of section 21 of the Indian Penal Code, shall be punishable with fine, which may extend to Rs. 50, and, in the case of a continuing offence, with fine which, in addition to such fine as aforesaid, may extend to five rupees for every day after the first during which such offence continues

## SCHEDULE A

### Torm I

Notice to owner under section 6 of the Cantonments (House Accommodation) Act, 1902 (II of 1902)

 $T_0$ 

Whereas an opplication has been made to the Canton ment Authority of by Command ing Officer of the property of the Cautonments (House Accommodotion) Act, 1902 [11]

of 1902), for appropriation of the house No

situated at within the Contonment of for occupation hy And whereas

nt appears to the satisfaction of the said Cantonment Authority that the said house should be appropriated for the chore purpose—This is to require you to let the said house to the said of from the doy of 19 And take notice that Its

is the amount of monthly rent proposed as reasonable for the said house, and that, unless you give effect to the above requisition within the time aforesaid (or npply for a refer ence to arhitration under section 18 of the said Act) the Carlonment Authority will proceed to enforce it under tha provisions of the said Act

Dated at this day of 19

(Signed)

Cantonment Authority

## Form II

Notice to occupier under section 6 of the Cantonments (House Accommodation) Act, 1902 (II of 1902)

То

Whereas an opplication has been made to the Canton ment Authority of by Com manding officer of the regiment ander section 8 of the Cantonments (House Accommodation) Act, 1902 (II of 1902), for appropriation of the house Now within the Cantonment of for occupation by

And whereas it appears to the said faction of the said Contonment Authority that the said

34 Rules made under the Cantonments (House-Accommodation) Act. 1902.

house should be appropriated for the above purpose:—This is to require you to vacate the said house on or hefore the day of notice that unless you give effect to 19. And take notice that unless you give effect to the above requisition within the time aforesaid, the Cantonment Authority will proceed to enforce such requisition under the provisions of the said Act.

Dated at

the

19

(Signed)

Cantonment Authority

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# THE CANTONMENTS ACT, 1910

# (ACT XV OF 1910).

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# THE CANTONMENTS ACT, 1910 (XV OF 1910)

An Act to consolidate and amend certain Acts relating to Cantonments

W HEREAS it is expedient to consolidate and amend certain Acts relating to cantonments. It is hereby enacted as follows -

#### CHAPTER I. PRELIMINARY.

1. (1) This Act may be called the Cantonments shorting Act. 1910 1 and extent

(2) It extends to the whole of British India 2

The Act which eventually was passed as the present Act relating to Cantonments was originally introduced as a Bill to sinend Act XIII of 1889 for the purpose of substituting a new sub section 2 to a 17 (see now s 1b of Act XV of 1910) of that Act and a verhal amendment in cl (17) of s 26, the balact Committee on the Bul recommended that the Acts relating to Canton ments should be brought together in one Act including the amendments they

consolidsts the law contained in Act \li of 1889 with the amendments mads therein by the following Acts namely —(1) Act | of 1891 (2) \li 11 of 1891 (2) \li 11 of 1894 (3) \li 11 of 1894 (4) \li 12 of 1894 (5) \li 1898 (5) \li 10 of 1894 (5) \li 1994, sad (7) \li of 1994, sad (7) \li of 1894 (5) \li o

For Statement of Objects and Reasons to the Act as described above see Gazette of India 1910, Pt V, p 120 and post App A For Report of belect Committee with consolidating Bill see abid, It IV, p 73 and post, App A. F. Physical State of the Pt 1910 and post, App A. F. Physical State of the Pt 1910 and post, App A. F. Physical State of the Pt 1910 and post, App A. F. Physical State of the Pt 1910 and post, App A. F. Physical State of the Pt 1910 and post, App A. F. Physical State of the Pt 1910 and Pt 1910

For Sta which Act 2 Committee r see Gazette

Access the provisions of the Act—see the indement of the Privy Council in Administrator Central of Hengal v Frends Middle (1995), L. R. 22 1 A (107, stp. 114, and i. L. R. 22 Cad at pp 730 By the operation of certs a special enactionals, knowerer, the Act does not extend to Dittain Balconsins the Santhla Pargana, Angul the Chita

(Baroda) - ere Gazette ef India, Pt. I, 1911, p. 438 (Kutch) - Bombay Government Gazette 1914 Pt., I p. 818. (Palaspor) -

Dec 1 (Meywat) Garette of Indus. Pt I ISSE p 3"4."

"V.B.—The notification here referred to the 20-3, dated little June 1973 applied to the Can tomnest of Droll. all laws and regulations that are now or may heresfeer be in force to Afmere and Merwars. As the Cantomoretic Act, 1976, extends to Afmere and Merwars as part of Lettach Inches, in therefore applies automatically to Droll.

# (Chapter I -- Preliminary -- Section 2)

2 In this Act, unless there is anything repugnant in the subject or context .-

(a) 'officer "means—

(i) a person who, being an officer within the 44 & 40 \ meaning of the Army Act, 1s commissioned c 58 and in pay as an officer doing military duty

with His Majesty's regular forces' as defined in that Act or as an officer doing such duty in any arm, branch or part of those

forces, and

(11) a person doing military duty as a warrant officer with those forces or with any arm, branch or part thereof, whether he is or is not an officer within the meaning of the Army Act 1

(b) 'soldier 'means a person who is a soldier of His Majesty's regular forces within the

Mhow (Indore) Neemuch (Gws o ) Nowgo g (Chhatar Per Garette of Ind a Pt I 1911 p 837 pur)
Sesandersbad nelu
a re of Bolaram
and Agraugabad
(Hydersbad) —
The Baluchistae 1911 p 336

1911 p 837

Agency tern ones

The slort title of 44 & 45 Vict c 58 was ong nally. The Army Act 1831 but the figures 1831 were d spensed with by the Army (Annal) Act 1830 (58 Vict c 4) and the short title is now s mply. The Army Act The expression officer commissioned or in pay 193 (4) of the Army Act as meaning an officer commissioned or in pay 193 au officer in His Majesty's forces or any arm branch or part thereof it also includes a person who by virties of his commission is appointed to any department or corps of

are denned by a 180 (c s 10 (£)] ss meaning of enlatment or other (Chapter II —Cantonments and Cantonment Authorities, Courts and Police —Section 3)

1919 [

meaning of the Army Act, and is not an officer within the meaning of this Act

officer within the meaning of this Act

(c) "spirituous liquor" means any fermented
liquor, any wine, any alcoholic liquid oh
tained hy distillation, and the sap of any
kind of palm tree, and includes any other
liquid consisting of or containing alcohol
which the Local Government, with the
previous sanction of the Governor Gencral in Council, may, by notification in the
official Gractic declare to he a spirituous liquor for the purposes of this Act

(d) "intolecting drug" means opium, ganja, hlang, charas and every preparation and admixture thereof, and includes any other intolecting substance or liquid which the Local Government, with the previous sauction of the Governor General in Council, may, hy notification in the official Gazette, declare to be an intolecting drug for the purposes of this Act and

(e) "owner' includes the person who is receiving or cititled to receive the rent of any hullding or land, whether on his own account or on behalf of himself and others or as an agent or trustee, or who would so receive the rent or be entitled to receive it if the building or land were let to a tenant

#### CHAPTER II

CANTONMENTS AND CANTONMENT AUTHORITIES, COUNTS

# AND POLICE

#### Cantonments

3 (1) The Local Government, with the previous Definition of sanction of the Governor General in Council, may, by cantonments notification in the official Gazette, declare any place in which any of His Majesty's regular forces are

and a non-commissioned officer and every person subject to military law during the time that he is so subject. For the modifications referred to see as 122 (surrant officers) and 133 (non-commissioned officers). The expression "asbject to military law is defined by as 175—177 of the 'trmy act as amended by D 25w '7, c. 3.

(Chapter II -Cantonments and Cantonment Authorities. Courts and Police - Sections 4 6)

quartered within the territories administered by such Government to he a cantonment for the purposes of this Act and of all other enactments for the time heing in force

(2) The Local Government, with the like sanction, may also, by a like notification define the limits of any cantonment for the like purposes

# Cantonment Authorities and Magistrates

Cantonment anthority and Magus trate

4. For every cantonment beyond the limits of a presidency town't here shall be a cantonment authority and a Cantonment Magistrate

Cantonment author tv

- 5 (1) The expression cantonment authority" as used in this Act means a cantonment committee or where a cantonment committee has not been constituted or has in pursuance of an order of the Local Govern ment ceased to exist or for any reason cannot be con vened then subject to any rules made under section 24, clause (5), the commanding officer of the cantonment
- (2) The Local Government shall determine, with respect to every cantonment in which troops are for the time heing quartered, whether or not a cantonment committee is to be constituted
- (3) The cantonment authority shall be deemed to be a local authority as defined in the Cattle trespass Act, 1871, the Local Authorities Loan Act, 1879, the Indian Telegraph Act, 1885, and the General Clauses 1 of 1871 Act, 1897 2

XIII of 1885 X of 1897

Lautonment Msg strate

6 The Cantonment Magistrate shall be a Magis trate appointed by the Local Government under section

The express o General Clauses Ac t me being of the Judicature at Fort

<sup>(41)</sup> of the m to for the igh Court of

The following are the definitions referred to -

Act I of 1871 # 5- Local authority means any body of persons for the time being invested by law with the control and administration of any metters within a specified local area

Act XI of 1879 : 5 — Local authority means any body corporate municipal committee or other persons legally entitled to the control or manage ment of any local or munic pal fund or legally entitled to impose any cess rate duty or tax upon eny persons within any local area

598

1887

(Chapter II.-Cantonments and Cantonment Authorities, Courts and Police.-Section 7)

121 of the Code of Criminal Procedure, 1898, and, as such, subordinate to the District Magistrate or to the District Magistrate and the Sub-Divisional Magis trate as the case may be, under section 172 of that Code.

# Cantonment Court of Small Causes.

- 7. (1) When the Local Government appoints the Appointment Cantonment Magistrate to be the Judge of a Court of Canton of Small Causes established within a cantonment trate as under the Provincial Small Cause Courts Act, 1887, Indee of Cantonment it shall, in its order appointing him to he such Judge, court of declare, and may by notification in the official Gazette Small Canses vary, within a limit of five hundred rupees, the value of the suits which are to be cognizable by him under
- that Act. (2) The provisions of section 15, sub-section (3)
- of the said Act' shall not apply to a Court of Small Act XIII of 1885, s. 3 (7) — Local authority means any municipal committee, district board, body of port commissioners, or other authority legally entitled to, or entrusted by the Government with the control or management

of any municipal or local fund Act X of 1897, a 3 [28]—'Local authority aball mean a municipal committee, dustrict board, body of port commissioners, or other authority legally entitled to, or entrusted by the Government with the control or management of a municipal or local fund

1 The section provides as follows -11 10 111 TE T

"(2) Except as otherwise provided by such definition, the jurisdiction and power of such persons shall extend throughout such district."

2 The section provides as follows --

"17 (1) All Magnitrates appointed under sections 12, 13 and 14 ahall be subordinate to the Historic Magnitrate, and he may from time to time, make rules or give special orders, consistent with this Code, as to the distribution of business among such Magnitrates and an analysis of the distribution of business among such Magnitrates.

"(2) Every Magnitrate (other than a Sub divisional Magnitrate) \* \* a shall also he subordinate to the Sub divisional Magnitrate, ambject, however, to the general control of the District Magnitrate."

\* S 15 (5) of the Provincial Small Cause Courts Act, 1887 (IX of 1887), provides that, subject to the earlier provisions, which except certain suits

(Chapter II.—Cantonments and Cantonment Authorities, Courts and Police —Sections 8-10.)

Causes of which a Cantonment Magistrate is the Judge.

Appointment of Additional Judge of Cantonment Court of Small Causes

8. When the Local Government appoints an Additional Judge of a Court of Small Causes, of which a Cantonment Magistrate is the Judge, it shall, in its order appointing him to be such Additional Judge, declare, and may by notification in the official Gazette vary, within a limit of fifty rupees, the value of the suits with respect to which the functions of the Judge of the Court may be assigned to, and discharged hy, the Additional Judge under section 81 of the Provincial Small Cause Courts Act. 1887

IX of 1887.

Continuance of jurisdic tion of Cau tonment Court of Small Causta in certain cases not withstanding reduction of jurisdiction of Judge

9. A Cantonment Magistrate as Judge of a Court of Small Causes may, whatever may be the value of the suits cognizable by him as such Judge, dispose of any suit which was within the pecuniary limits of the jurisdiction of the Judge presiding over the Court at the time of the institution of the suit, and may entertain and dispose of any proceeding after decree in any such suit.

#### Cantonment Police

Police

10. (1) The police force employed in a cantonment beyond the limits of a presidency-town shall, for the purposes of the Madras District Police Act, 1859, or xxiv of the Police Act, 1861, or the Bomhay District Police Act, 1852, ast, 1890, as the ease may be, be deemed to be part of the lies IV of general police establishment under the superintendence 1890 of the Local Government in whose territories the cautoment is situated.

<sup>1</sup> S 8 of the Provincial Small Cause Courte Act, 1887 (1X of 1887), provides as follows —

<sup>&</sup>quot;8 (1) The Local Government, with the previous annotion of the Governor General in Council, may, by order in writing, append an Additional Judge of a Court of Small Causes or of two or more such Courts

<sup>&</sup>quot;(2) The Additional Judge shall discharge such of the functions of the Judge of the Court or Courts as the Judge may assign to him, and in the discharge of those functions shall exercise the same powers as the Judge

<sup>&</sup>quot;(5) The Judge may withdraw from the Additional Judge any business pending before him

<sup>&</sup>quot;(f) When the Judge is absent, the Additional Judge may discharge all or any of the functions of the Judge"

(Chapter III - Spirituous Liquors and Intoxicating Drugs -Sections 11-12)

(2) The area comprised within the limits of a cantonment shall be deemed to be a town for the purposes of section 341 of the Police Act, 1861

#### CHAPTER III

Spinituous Liquons and Intoxicating Drugs

11. If within a cantonment, or within such limits Unauthorised around a cantonment as the Local Government may, nons liquor by notification in the official Gazette, prescribe in this or advantaged behalf, any person not subject to military law or any person subject to military law otherwise than as an officer or soldier knowingly barters, sells or supplies, or offers or attempts to barter, sell or supply, any spirituous liquor or intoxicating drug to or for the uso of any soldier or follower or soldier's wife, without the written permission of the commanding officer of the cantonment or of some person authorised by the com manding officer to grant such permission he shall be punishable with fine which may extend to one hundred rupces, or with imprisonment for a term which may extend to three months, or with both

12. If within a cantonment, or within such limits Unauthorised around a cantonment as the Local Government may, pursuous by notification in the official Gazette, presembe in liquor this behalf .--

- (a) any person subject to military law otherwise than as an officer or soldier, or
- (b) the wife or servant of any such person or of n soldier.

has in his or her possession except on behalf of the Government or for the private use of an officer more than one quart of any spirituous liquor other than fermented malt liquor without the written permission

<sup>18 34</sup> as amended by the Folice Act (1861) Amendment Act 1895

(Chapter III.—Spirituous Liquors and Intoxicating Drugs.—Sections 13-14.)

of the commanding officer of the cantonment or of some person authorised by the commanding officer to grant such pormission, he or she shall be punishable in the case of a first offence against this section with fine which may extend to fifty rupees, and in the case of a subsequent offence against this section with fine which may extend to one hundred rupees or with imprisonment for a term which may extend to three months.

Arrest of persons and secure and confiscation of things for offences against the two last foregoing sections

- 13. (1) Any police officer or excise officer may, without an order from a Magistrate and without a warrant, arrest any person whom he finds committing an offence against section 11 or section 12, and may seize and detain any spirituous liquor or intoxicating drug in respect of which such an offence has been committed, and any vessels or coverings in which the liquor or drug is contained.
- (2) Where a person accused of an offence against section 11 has been previously convicted of an offence against that section, an officer in charge of a police station may, with the written permission of a Magistrate, seize and detain any spirituous liquor or intoxicating drug within the cantonment, or within the limits prescribed under section 11, which at the time of the alleged commission of the subsequent offence belonged to, or was in the possession of, the person.

(3) The Court convicting a person of an offence against section 11 or section 12 may order the confiscation of the whole or any part of any thing seized under sub-section (2) or sub-section (2).

(4) Subject to the provisions of 'Chapter XLIII of the Code of Criminal Procedure, 1898, anything v<sub>vl</sub> 1808 seized under sub-section (1) or sub-section (2) and not confiscated under sub-section (3) shall he restored to the person from whom it was taken.

Saving of articles sold or supplied 14. The foregoing provisions of this Chapter shall not apply to the sale or supply of any article for

Chapter XL111 of the Code of Criminal Procedure, 1898 (Act V of 1898), provides for the disposal of property connected with offences or the trial of offences

(Chapter IV.—Taxation and Cantonment Fund.— Sections 15-16.)

medicinal purposes by a medical practitioner, chemist for medicinal purposes or druggist.

## CHAPTER IV.

# TAXATION AND CANTONMENT FUND

#### Taxation

- 15. (1) With the previous sanction of the Gov-Occural crnor General in Council, the Local Government may, power of by notification in the official Gazette,—
  - (a) impose in any cantonment which is not included in a municipality any tax which, under any enactment in force at the date of the notification, can be imposed in any municipality within the territories administered by such Government, and
    - (b) abolish or modify any tax so imposed
- (2) When any tax is leviable in a cantonment in pursuance of a notification under sub section (1), the Local Government, subject to the like sanction may, by a like notification apply or adapt to the cantonment the provisions of any enactment or rules in force at the date of the notification in any municipality within the territories administered by such Government relating to—
  - (a) the assessment, collection or recovery of any tax;
  - (b) the refund or revision of, or exemption from, any such tax; and
  - (c) the punishment of any breach of such enactment or rules
  - 16. (1) The Local Government may, by notificate Estension of tion in the official Gazette, extend the provisions of 1856 to each the 'Bengal Chaukidari Act. 1856, to any canton-tan estaton mental.

Act XX of 1856 as amended by Act XXII of 1871 provides for the appendment and maintenance of police chankedrs; in cities towns stations suburbs and bears in the Presidency of Fort William in Bengal. It is row in force in certain places in the United Provinces of Arra and Ondh the Punjab and Ajmere.

#### (Chapter IV —Taxation and Cantonment Fund — Sections 17 18)

ment which is not included in a municipality and which is situated in any part of British India in which that Act is in force, and the Cantonment Magistrate may exercise all the powers of the Magistrate under that Act subject only to the control of the District Magistrate and the Local Government

(2) The Local Government may order that a cantonnent to which the provisions of the Bengal Chankidari Act, 1856 have been extended shall be divided xx of 1852, into any number of cantonment divisions, and may determine the nature of the tax to be levied in each such division according to section 10 of that Act

Restriction
of power of
taxation in
canton nents
in which Act
XX of 18.6
is in force

17. While a tax assessed according to the circum stances, and the property to be protected, of the persons liable thereto or according to the annual value of houses and grounds is levied under the Bengal Chau kidari Act 1856 in a cantonment a tax on persons xx of issa practising any profession or art or carrying on any trade or calling or a tax on huildings and lands, as the case may he shall not he leviable in the cantonment in pursuance of a notification under section 16 of this Act

Power to proh bit or exempt from taxation

- 18 (1) Notwithstanding unything in any enact ment for the time being in force the Governor General in Council may by notification in the Gazette of India prohibit the levy of the whole or any part of any tax imposed in a enationment, or exempt any person by name or in virtue of his office or any class of persons or any property or any class of property, from the operation of any such tax
- (2) Where the area subject to the authority of a municipal committee as defined in "section 2 of the Municipal Taxition Act, 1881, includes the whole xiorissi or part of a cantonment nothing in "section 4 or "section 5 of that Act or in any other like enactment for

of 1881) defines the funic pal Corporation under the provis ons

ha & ma

ict e

# (Chapter IV.—Taxation and Cantonment Fund.— Section 19.)

the time heing in force shall apply to so much of that area as is comprised in the cantonment.

#### Cantonment Fund.

- 19. (1) There shall be formed for every canton-Carloment ment which is not included in a municipality, a can-fund. tonment fund, and there shall he placed to the credit thereof, among other sums, the following, namely:—
  - (a) subject to deductions under 'section 545 of the Code of Criminal Procedure, 1898, or under any other enactment for the time heing in force or under any order of the Local Government, all fines recovered from

"The Governor General in Council may, by a like order, rescind any such prohibition 4 So long as any order made

"Provided that the said Secretary of State in Council shall not be hable to pay any sum in respect of any horse which such Person is bound, by the regulations of the service to which he belongs, to keep

"5 So long as any order made und any tax payable by the Secretary of St. force, the said Secretary of State in C Municipal Committee, in hea of such the from time to time appointed in this bel having regard to all the crumstances or mine to be fair and reasonable"

The Army Discipline and Regulation Act, 1879 (42 & 43 Vict., c 33), above referred to, has been repealed and replaced by the Army Act (44 & 45 Vict., c. 58)

'S. 545 of the Code of Criminal Procedure, 1893 (Act V of 1896), provides as follows -

- "545 (1) Whenever under any law in force for the time being a Criminal Court imposes a fine or confirms in appeal, revision or otherwise a sentenre or fine, or a sentence of which fine forms a part, the Court may, when passing judgment order the whole or any part of the fine recovered to be applied—
  - (a) in defraying expenses properly incurred in the prosecution,
  - (b) in compensation for the injury caused by the offence committed, where substantial compensation is, in the opinion of the Contr. recoverable by civil suit
  - (f) If the fine is imposed in a case which is subject to appeal, no such parment shall be made before the period allowed for presenting the appeal has elapsed or if an appeal be presented before the decision of the appeal."

(Chapter IV -Taxation and Cantonment Fund .-Section 19.)

> persons convicted of offences committed within the cantonment against this Act or against any enactment extended or rule made thereunder, or against the provisions of 'section 34 of the Police Act, 1861, or the V of 1861 corresponding enactment' for the time heing in force in the territories administered by the Governor of Fort St George in Council or by the Governor of Bombay in Council, or against the provisions of <sup>a</sup> Chapter XIII or Chapter XIV of the Indian Penal Code or of section 156 of the YLV of 1860 Army Act: c, 58

(b) the proceeds of taxes imposed under section 15 or levied under the Bengal Chaukidari Act. 1856, in the cantonment, and

(c) rents and profits accruing from property placed by the Government under the management of the cantonment authority.

(2) Notwithstanding anything in any enactment as to the purposes to which the proceeds of a tax are to be appropriated, the cantonment fund shall be applicable, subject to the rules under this Act, to the maintenance of the police force employed in the cantonment and to the other purposes of this Act within the cantonment and, with the general or special sanction of the Local Government, to like objects within or without British India, beyond the limits of the cantonment in cases in which, in the opinion of the Local Government, the application of the fund beyond those limits is for the benefit of the inhahitants of the cantonment or of any military force ordinarily

<sup>18 34</sup> as amended by the Police Act (1851) Amendment Act 1895 (VIII of 1868) provides for the purishment of any person who commits are certain officers "on any road open place or street or thoroughfare within the limits of any town to which this section chall be specially extended by the Local Government"

For the corresponding enactments referred to, see Act XXIV of 1859 and Bombsy Acts VII of 1867 and IV of 1890

Chapters XIII and XIV of the Indian Penal Gode (Act XLV of 1860) deal respectively with offences relating to weights and measures and vite offences affecting the public health safety convenience decency and morals

<sup>\*</sup> S 156 of the Army Act (44 & 45 Vict, c 58) penalizes the purchase from soldiers of regimental necessaries, equipments, atores, etc.

(Chapter IV .- Taxation and Cantonment Fund --Sections 20-22. Chapter V .- Supplemental Provisions -Section 23.

quartered therein or of any detachment of any such force.

20. (1) Where, in or near a cantonment, there is Castody of a Government treasury or sub-treasury or a hank to castonment which the Government treasury husiness has been fond. made over, the cantonment fund shall be kept in the treasury, sub-treasury or hank.

(2) Where there is no such treasury, sub-treasury or hank, the cantonment fund may be deposited with any hanker or person, acting as a hanker, who has given such security for the safe custody and repayment on demand of the fund so deposited as the District Magistrato may in each case think sufficient.

21. The cantonment fund shall he vested in 'His Vesting and Majesty, and, subject to the provisions of this Act and management of the rules thereunder and to the control of the fund Local Government, the management of the fund shall

be entrusted to the cantonment authority.

22. The cantonment fund shall be deemed to be Acquisition of " public revenues " within the meaning of the proviso property at to esection 6 of the Land Acquisition Act, 1894, and cost of any property acquired at the cost of the cantonment fund fund shall vest in His Majesty

#### CHAPTER V.

#### SUPPLEMENTAL PROVISIONS.

23. The Governor General in Council may, by Extension of notification in the Gazette of India, extend to all ensemble cantonments or to any cantonment or to any part of ments any cantonment any enactment for the time heing in force in any municipality in British India, and declare its extension to be subject to such restrictions and modifications, if any, as he thinks fit.

<sup>1</sup> See the Oovernment of India Act, 1858 (21 & 22 Vict. c 106), s. 40, ander which the revenues of British India west in His Majesty.

<sup>&</sup>quot;The provise to section 6 [7] of the Land Acquisition Art, 1824, anacts that no declaration as to the intended acquisition of land there nader shalles be made "unless the compensation to be awarded for such property is to be paid by a Company, or whollve or partity out of public revenues or some fund controlled or managed by a lval substity."

# (Chapter V -Supplemental Provisions -Section 24)

Matters 24. The Governor General in Council may make respecting rules' consistent with this Act to provide for all or any which rules may be made of the following matters, namely -

- (1) the manner in which, and the authority to which, application for permission to occupy land helonging to the Government in a can tonment is to be made.
- (2) the conditions to be annexed to every such permission given in pursuance of such an application.
- (3) the preparation and maintenance of registers of immoveable property in cantonments,
- (4) the constitution of cantonment committees the functions to be discharged by them, the conduct of and the control to be oxercised over, their proceedings and the division of duties among the members of sucb com mittees,
- (5) the functions to be discharged by the com manding officer of a cantonment where a cantonment committee has not been con stituted or has in pursuance of an order of the Local Government ceased to exist or for any reason cannot be convened.
- (6) the executive duties of the Cantonment Mag istrate and his position in relation to the commanding officer of the cantonment.
- (7) the purposes to which the cantonment fund may be applied,
- (8) the authority on which money may be paid from the cantonment fund,
- (9) the investment of any balance of that fund,
- (10) the execution of contracts hy, or on behalf of, the cantonment authority.
- (11) the accounts to be kept by the cantonment authority, and the manner in which those accounts are to be audited and published

A comprehens ve Code of rules has been framed under this section and issued in comb nation with certain enactments applied in exercise of the powers conferred by section 23 above. See post p 71 and foot note on p 83

# (Chapter V -Supplemental Provisions -Section 24)

- (12) the definition and ahatement of nuisances for which sufficient provision has not, in the opinion of the Governor General in Council, heen made under section 23,
- (13) the requisitions which may he made on per sons having the control of sewers, drains, latrines or other things creating, or likely to create, nuisances, and the mode of en forcing such requisitions,
- (14) the prevention of the overcrowding of huild ings and places in a cantonment,
- (15) the construction and maintenance, to the satisfaction of the cantonment authority, of huildings and of houndary walls, hedges and other fences.
- (16) the regulation of the practice of agriculture and irrigation in a cantonment, the keep ing of lands therein in proper order, and the felling lopping and trimming of trees on such lands.
- (17) the regulation of encamping grounds sarais markets and slaughter houses, of traffic on roads and across unenclosed spaces under the control of the contonment authority and of processions and public assemblies
  - (18) the use and management of burial and burning grounds,
  - (19) the supervision and the regulation of the use of public wells, tanks, rivers, streams, springs or other sources from which water is or may be made available for public use, and of the lands in the vicinity thereof,
  - (20) the parts of a cantonment in which persons practising any profession or carrying on any trade, calling or occupation, may be required to reside for the purpose of practising the profession or carrying on the trade, calling or occupation, and the conditions if any, to be observed by such persons (21) the prevention of the spread of infectious or
    - contagious disorders within a cantonnient.

(Chapter V -Supplemental Provisions -Section 24)

and the appointment and regulation of hospitals or other places within or without a cantonment for the reception and treatment of persons suffering from any disease

- (22) the segregation in, or the removal and exclusion from a cantonment, or the destruction of animals suffering or supposed to be suffering from any infectious or contagious disease.
- (23) the suppression of mendicancy and of loiter ing or importuning for the purpose of prostitution and the removal and exclusion from a cantonment of disorderly persons, of persons who have been convicted of any offence against 'Chapter XVII of the Indian Penal Code or section 156 of the XLV of 'Army Act or have been ordered under 1800 the 'Code of Criminal Procedure, 1808, 416 to execute a bond for their good behaviour, Yer 1898 and of persons whom the communding officer deems it expedient to exclude from the cantonment with or without assigning any reason for excluding them therefrom,
- (24) the prevention of cruelty to animals and the care of animals while grazing,
- (25) the prevention and extinction of fires,
- (26) the registration of births and deaths,
- (27) the appointment by owners of huildings and lands in cantonments, who are absent from cantonments, of persons residing within or near cantonments, to act as their agents for all or any of the purposes of this Act or any enactment extended or rule made thereunder.
- (28) the powers of inspection entry and search which may be exercised in carrying out any

<sup>&</sup>lt;sup>1</sup> Chapter XVII of the Indian Penal Code (Act XLV of 1860) deals with offences against property

<sup>\*</sup> See foot note to s 2 ante p 44 As to s 156 of the Army Act see foot note to s 19 (1) of the Act ante p 53

\* See Chapter VIII of the Code of Criminal Procedure 1893 (Act V of 1893)

(Chapter V.—Supplemental Provisions.—Section 25.)
of those purposes, and the cases in which
hreaches of enactments extended or rules
made under this Act are to be cognizable

- offences;
  (29) the mode in which summonses, notices, requisitions and other documents are to be served on the persons to whom they are addressed:
- (30) the cases, authorities and conditions in, to and on which executive orders passed under this Act or any enactment extended or rule made thereunder may be appealed from; and.
- (31) generally, the carrying out of the purposes of this Act.
- 25. (1) The power to make rules under section 24 is Supplemental subject to the condition of the rules being made after represental 'previous publication and of their not taking effect rules, until they have been published in the Gazette of India and in such other manner as the Governor General in Council prescribes.
- (2) A rule under section 24 may he general for all cantonments in British India or for all cantonments not expressly excepted from its operation, or may be

before making them, publish a draft of the proposed rules or by laws for the information of persons likely to be affected thereby; (2) the publication shall be made in such manner as that authority

(2) the publication aball be made in such manner as that authority

have been made in exercise of a power to make rules or bye laws after previous publication shall be conclusive proof that the rule or bys law has been duly made

# (Chapter V —Supplemental Provisions — Sections 26 27)

special for the whole or any part of any one or more than one cantonment, as the Governor General in Council directs

- (3) A copy of the rules for the time being in force in a cantonment shall be kept open to inspection free of chaige at all reasonable times in the office of the Cantonment Magistrate
- (4) In making any rule under clause (12) or any of the following clauses of section 24, the Governor General in Council may direct that a hreach of it shall be punishable with fine which may extend to fifty tupees, or with imprisonment for a term which may extend to cight days and when the breach is a continuing breach with fine which in addition to such fine or imprisonment as aforesaid may extend to five lupees for every day after the first during which the breach continues

Extens on of certain spac in ats and rules to places beyond can tooments

- 26 The Local Government may, by notification in the official Gazette, and subject to any conditions as to compensation or otherwise which it may see fit to impose, extend to any area beyond a cantonment and in the vicinity thereof—
  - (2) any enactment which with or without re striction or modification, has been extended to the cantonment or any part thereof under section 23 or
  - (b) any rule in force in the cantonment or any part thereof under clause (12) or any of the following clauses of section 24, as well as any direction there in force under sub section (2) of section 25

and the enactment, rule or direction specified in the notifications shall so long as the notification remains uncancelled, apply to that area as if the area were included in the cantonment

Cantonments in presidency

27. Where a contonment is situated within the limits of a \*presidency town, the functions assigned to

<sup>&</sup>lt;sup>1</sup> As to continuing breaches see In re Limbayi Tule ram (1895) 1 L R 22 Bom 766 and Queen E press v Will om Humner (1897) I L R 22 Bon 341

<sup>2</sup> See fool note to s 4 p 46

# (Chapter V -Supplemental Provisions -Sections 28-29.)

any authority hy this Act or any enactment extended or rule made thereunder shall, subject to the provisions of any enactment for the time being in force, be discharged hy such authority as the Local Government may appoint in this behalf.

28. A suit or prosecution shall not be entertained Protection of in any Court against any cantonment authority, suberry authority appointed under section 27, Cantonment segistrate Magistrate or commanding, medical or other officer for ing officer anything in 'good faith done or purporting to be done in pursuance of powers conferred by or under this Act on such authority, Magistrate or officer, whether the thing done was or was not authorised by the powers so conferred

29. (1) \*Section 54, paragraphs 2 and 3, and sections 59, 107 and 123 of the Transfer of Property Act, 1882, with respect to the transfer of property by

\* Under # 3 (20) of the Oeneral Clauses Act, 1897 (X of 1897), a thing shall be deemed to be done in good faith " where it is in fact done honestly, whether it is dona negligently or not " 8 1 of the Transfer of Property Act, 1882 (1V of 1882), provides that

(Chapter V.—Supplemental Provisions,—Section 29.) registered instrument, shall, on and from the commencement of this Act, extend to every cantonment in British India.

(2) Where a cantonment has not been constituted a sub-district or district for the purposes of the Indian Registration Act, 1908, under section 9 of that Act, xvi of 1908. the Registrar of the district in which the cantonment is situated shall cause a copy of such entries in 'Indexes Nos. I and II as relate to immoveable property within the limits of the cantonment to be forwarded to the Cantonment Magistrate annually or at such shorter intervals as the Local Government may prescribe.

'All other leases of immoveable property may be made either by a regis-tered instrument or by oral agreement accompanied by delivery of possession.

Provided that the Local Covernment may, with the previous anction of the Oovernor General in Council, from time to time by notification in the local official grantite direct that leaves of immoveable property other than leases from year to year, or for any term exceeding one year, or reserving a yearly rent, or any class of such leaves, may be made by unregistered matra ment or by oral agreement without delivery of possession.

'123 For the purpose of making a gift of immoveable property, the

1 S 9 of the Indian Registration Act, 1903 (XVI of 1908), provides as follows .-

real Oovernment so directa) district, and the Canton he Regustrar of such sub

2 As to the nature of these Indexes, see a 55 of the Indian Registration Act, 1908 (XVI of 1908)

The section in question is as follows .-"55 (1) Four such indexes shall be made in all registration offices, and shall be named, respectively, Index No 1, Index No 11, Index No 11 and

Index No IV.

(2) Index No I shall contain the names and additions of all persons executing and of all persons clasming under every document entered or memorandum filed in Book No 1.

(5) Index No II shall contain such particulars mentioned in a 21 res the Inspector General

> additions of all persons ok No 3, and of the ler and after the death ses and additions of all

additions of all persons document entered in

(c) Each under shall contain such other particulars, and shall be prejared in such form as the inspector General from time to time directs "

61

Chapter VI.—Repeals and Savings.—Sections 31-32.)

30. The Governor General in Council may, by noti-Limitation of fication in the Gazette of India, exclude from the oper of this Act. at the whole or any part of this Act the whole or any part of any cantonment.

# CHAPTER VI.

(Chapter V .- Supplemental Provisions .- Section 30.

# REPEALS AND SAVINGS.

31. The enactments mentioned in the Schedule are Repeals repealed to the extent specified in the fourth column thereof.

32. All licenses and permits given under the Savage so. Cantonments Act, 1889, or under any enactment repealed by that Act, and in force at the commencement of this Act, shall be deemed to have been given under this Act.

# THE SCHEDULE.

# ENACTMENTS REPEALED

### See section 31.

1 car	10	Short title	Extent of repeal
1	2	3	4
1889	XIII	The Cantonments Act,	So much as has not been rapealed
1891	I	The Cattle trespass Act (1871) Amendment Act, 1891	Section 11
,	XII	The Amendtog Act, 1891	So much of Part I of the Second Schedule as relates to the Cantonments Act, 1889
1896	xII	The Excise Act, 1896	So much of the Schedule as relates to the Centonments Act, 1889
1897	zv	The Cantouments Act,	The whole
1898	٧	The Code of Crimii al Pro- cedure, 1898	So much of Schedulo I as relates to the Cantonments Act, 1889
1903	I	The Repealing and Amending Act, 1903	So much of Part II of the Second Schedule as relates to the Cantonments Act, 1889
1909	v	The Amending (Army) Act, 1909	So much of the Schedule as relates to the Cantonments Act, 1889

#### APPENDIX A.

#### STATEMENT OF OBJECTS AND REASONS.

Is applying or adapting to a cantonment, under section 17, and section (2), section 17, of the Cantonments Act, 1509, any enactment or rules in force in a muni obsection (2) capality for the assessment and recovery of a tax, any provision in the same

h a provision has now to be separately It has therefore been considered desirabove sub section, so as to cover the

above sub section, so as to cover the application or adaptation of a penal rule or enactment

Further it has been found necessary to provide against the creation of Section 13, nobshort cuts and the catablishment of rights of way across parade grounds, section (17) ergumental recreation grounds, ornamental plots and other grass lands, as also unenclosed spaces near barracks in Cantonments

It has been found that no legal power at present exists to prevent these
theels and fouled with the droppings
the appearance of the Cantonnent
and danger to health and the general

under the control of the Cantonment authority

It is intended that a notification of prohibition of thoroughfare, where it is found necessary to restrict traffic, shall be compressed by the Cantonment authority so that persons found disregarding the warning might be deally with under the power now abought

O'M CREAGE

The 16th July 1910

# CANTONMENTS CONSULIDATING BILL—SELECT COMMITTED REPORT

amexed thereto

The alterations which we suggest us the existing Act are as follows.
 They make no change in the law;

Section I (3) -Omitted as surplusage The Bill, if passed, will come into force at once

Section 2 -Reproduced by clauses 31 and 32 in a shortened form, regard being bad to sections 8 and 24 of the General Clauses Act, 1837

Section 5 (2) -Omitted, being provided for by section 20 of the General Clauses Act, 1897.

Section \$ (1) -The concluding words have been omitted, being provided for by section 21 of the General Clauses Act, 1897

Section 10 -Omitted, as epent

Section 18 (3) and the concluding words of rection 20 (1) —Omitted, being provided for by section 21 of the General Clauses Act, 1897

Section 29 -Omitted, being provided for by section 556 of the Code of Criminal Procedure, 1893

We have corrected references to Acts now repealed, and references to "Her Majesty", and bave followed present practice in referring to Acts by their adductory short titles, and in the use of certain durfting expressions now in common use in place of equivalent expressions which are contained in the

4 The publication required by the rules has been made in English in the Gazette of India, dated the 23rd July 1910

5 We think that the Bill has not been so aftered as to require re-publication, and we recommend that the consolidating Bill proposed by us he passed

OM GREAGH

S P SINHA.

R I SCALLON

E D MACLAGAN

PARTAB SINGH

ZULFIKAR ALI KHAN

UMAR HYAT KHAN

7 hr 23th July 1910

#### APPENDIX B

(The Cantonments Bill which become Act XIII of 1889)

#### STATEMENT OF OBJECTS AND REASONS

The primary object of this Bill is to overcome the great and increasing difficulty which military officers experience in obtaining houses near their lines or other place of duty, or even within the limits of cantonments. This

Nearly all land occupied by bouses in cantonments has been granted to bouse owners, or trules for the time similar to those as minute between the same time of the same been granted to be same to be

- 2 Of the other portions of the Bell the following only appear to call for remark -
  - Section 2.—It is proposed to repeal all existing Cantonment Acts
    in force in British India and several obsolete enactments re
    lating to cantonments and other unitiesy matters
  - (2) Section 3 Tha words "officer and "soldier" are defined for the
  - (5) Sections 4.7—It is proposed that every confoament be a sub durit of the district in which it is studied, and that the Sib divisional Magnitrate be called the Cantonnent Magnitrate II, as a Magnitrate, the Cantonnent Magnitrate representation of the Code of Grummal Procedure, 1892 II, as Judge of a Court of Small Cansea, he requires assistance, it can be given by the appointment of a Special Magnitrate under section 180 cf at Court of Small Cansea, he requires assistance, it can be given to him nucles section 8 of the Provincial Small Cause Courts Act, 1837 Officers who are now invested with power to try breaches of rules, not as Magnitrates but in permanent of an order of the Local Gov.

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- (4) Section 8—This section verts the administration of the canton ment police in the District Superintendent under the general control and direction of the District Magnitrate Command ing inflicers of cantoments are to be relieved of the duty, which is now unnecessarily imposed upon them, of serving processes issued by the Courts for execution in cantoments.
- (5) Sections 17 21—These sections give a legal status to cantonment funds and cantonment committees. The want of such a status has been a not infrequent cause of inconvenience
- (6) Section 22—This section, which would make every cantonment a sustract for the purposes in the Indian Registration Act, III of 1877, and the Cantonment Magistrate the Sub Registrar of the sub district, and regime the provisions in the Transfer of Property Act, 1882, with respect to the registration of documents, to be observed in every cantonment is designed to reduce the difficulties which now occur in the maintenance of registers of immoves the property in cantoniment.
- (7) Section 29 Several of the powers which it is proposed to take for making rules are not given by enectments now in force

The 12th October 1888

O CHESNEY



- (4) Section 8—This section vests the administration of the canton ment police in the District Superintendent under the general control and direction of the District Magnitistic Commanding officers of cantoments at to be relieved of the duty, which is now unnecessarily imposed upon them, of serving processes issued by the Courts for execution in cantoments.
- (5) Sections 17 21—These sections give a legal status to cantonment funds and cantonment committees

  The want of such a status has been a not infrequent cause of inconvenience
- (6) Section 28—This section, which would make every cantonment a usualized for the purpose of the Indian Registration Act, III of 1877, and the Cantonment Magastrate the Sub Registrat of the sub distinct, and require the portions of the Transfer of Property Act, 1832, with respect to the registration of documents, to be observed in every cantonment is designed to reduce the difficulties which now occur in the maintenance of registers of immoves ble property in cantonments.
- (7) Section 29 -- Several of the powers which it is proposed to take for making rules are not given by enactments now in force

The 12th October 1888

G CHESNEY

#### APPENDIX B

#### (The Cantonments Bill-Report of Select Committee )

LEGISLATIVE DEPARTMENT.

Memorandum from Covernment of India, Mil tary Department, No \$357 C. dated 12th October, 1683, and enclosures [fapers No 1]

NO 13 From Officiating Recretary to Chief Commissioner, Assau to 3199, dated loth horemoer, 1884 [Paper to 8] From Officiating Secretary to Chief Commissioner, Barms, No 878-88 M, dated 23rd horember, 1888, and spelosures

[Papers No. 3]

From Mr P. R. Dessi, Pleader District Court, Tanna dated 20th November 1985 [Paper No 4] From Officiation Secretary to Chief Commissioner, Burma, No. 194-84 M. dated 30th horember, 1858 and encource [Papers

resident, Landfords' Association, Mbow Coulinment,

dated -2135.

1899 ember

High Court, Calcutta, No 251, dated 31st

by Under Fecreta

Wr, the under-signed Hembers of the Select Committee to which the Bill to consolidate and amend the Isw relating to Cantonments was referred. havo concidered the Bill and the papers noted in the margin, ood have now the honour to timdes this Report 2. The Bill, es origin

ally fromed, divided itself naturally roto two parts-the first relatmy to the general administration of cantenmento as regards conservancy, texetton and so forth the second relating to mmoreable property. There has been a general concurrence of opinkn in fosour of the provisions of the brst part of the Bill, while the second has provoked considerable discussion and opposi-1100 Our i resent Roort relates only to the aret part of the Bill for the spe dy enastmont of which eogent rossons exist. As recards the second part, wa consider that Chapter V of the Bill, as introduced in October last, should, in such form as may be spotored by the Gore ernment after considerstien of the reiresentstinus which its roposals have elicited. be trested as a separate measure and be coreidered by a Select Committee and the Council 10 Calcutta

- 3 In the rest of the Bill es introduced we have made several alterations of which the following only need he mentioned, the sections hereafter cited heing those of the Bill as revised by us and amexed to this Report —
  - (1) By section 2 we have proposed to save existing rules for the present and to continue the validity of limits defined under carcimenta which are now to be, or have long since been, repealed
  - (2) We have inserted a section (section 4) enabling Local Governments, with the previous canction of the Governor General in Council, to declare any place occupied by troops to be a stathoment for the purposes of the proposed Act and of all other enactments affecting cantonments.
  - (5) Sections 7, 8 and 32, relating to Cantonment Magistrates, Canton
  - (4) The Assatant Cantonnent Magnetzato, in the few places where the rea such an officer, other is, or if the accruss of his officer, there is a not he officer, other is, or if the accruss of his officer is limited to the cantonnent, should be appointed to he, a Special Magnetzate under section 16 of the Code of Cirimial Procedure 1682 Where he has been invested under a Can tomments Act with any of the powers of a Judge of a Canton ment Court of Small Causes, he will under sections 6 and 10 the powers come an Additional Judge of the Court with like powers.
  - (5) From section 12 we have omitted the references to section 48 of the Madras Police Act and section 31 of the Bombay Police Act, because local legislation now pending will render them inappropriate
  - (6) In sections 17, 18, 20 and 21 we have recognized the practice, which still obtains in some parts of India, of suffering cantonments to be included within the limits of municipalities
  - (7) Under section 25 it will be practicable to apply to cantonments the abutance of Chapters VI and VII of the Punjab Municipal Act 1824, which have already been adopted for all munici palities in Ajmere and Berar, and have recently been reproduced in the Central Provinces Blumicpal Bill.
  - (8) By section 31 we have proposed to extend to cantonment authorities acting in good Isith such protection as is given by Act XVIII of 1850 and the Indian Penal Code to indical officers so acting
  - 4 The publication ordered by the Council has been made as follows --

5 We do not think that the measure has been so altered as to require republication and we recommend that it be passed as now amended

G CHESNEY

ANDREW R SCCBLE

R J CROSTHWAITE

The 6th August 1839

# THE

# CANTONMENT CODE, 1912.



## THE CANTONMENT CODE, 1912.\*

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and service 20 2. The Cantonment Code, 1892 published under Notification of the Correspond of India in th Milliany Department, No. 665, dated the 16th June, 1869, as subsequently amended is hereby to establed

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- ? \* Car por t in el Camir the el Art testion ernerad under section 252.
- "I'm here of Comm time of Ath tration to be persons who are not per oma n interested and all section so are instead ability available.
- 7 " Assembly of Corn the of Art Insteen.
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## THE CANTONMENT CODE, 1912.

## CHAPTER I

## Partivisas

### \*\*\*\*\*\*\*\*

Short title

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  General Defautions to
- 2 (1) In 1) a Cole unless there is arrithed regularit in the subject Diralities or content.
  - (e) "Accountant General" means the Civil Accountant General or Comptonler
  - (i) I leave? means any land in a cantemport which has been set apart for the purpose of Irade or the residence of natives or any other purpose, and the boundaises of which have been derivated by pillars or peats and specified, by, or under the authority of, the O"est Commaning the Division, in Divisional Orders.
  - Offer Commanding the District, in Districted Orders:

    | Ingude | mease any leafs of freeps, thend for administrative purposes under a Commander of one or more stations having the status of a District General or Colonel on the East, and excludes the Aden, Panna, Dersjat and Kerbat Independent Dirigules.
  - (c) "Division" reans one of the Divisions into which the Army in India is, for the time being, divided, and includes the Adeo, Bannu, Devisit and Kohat Independent Frigades
  - [d] "dairy" includes every farm, abed, milk store, milk shop or other place from which milk is applied, or in which milk is kept for purposed of sale.
  - (r) daryman includes the kerper of a cow, buffalo, goal, ass or other animal, the milk of which is offered, or intended to be offered, for sale for human consumption, any pureyor of milk and any occupier of a delign!
  - (f) "Freculive Engineer" means the Public or Military Works Officer of that grade hissing charge of the military works in the cantenment and includes the officer, of whatever grade, in immediate executive engineering charge of a cantenment.
  - (9) "Officer Comman ling the Division" means the Officer Commanding a Division, and includes the Officers Commanding the Aden, Bannu, Derajat and Kohat Birgades.
  - (h) "infectious or contagious disorder" includes cholera, leprosy, anterio fever and every infectious or contagions disorder other than a veneral disease."
  - (i) "keeper of a sarás" includes the owner of a sarás, any person having the cere or management of a sarás and the leaves of any land, whether belonging to the Government or not, occupied by a sarás;
  - (1) "lessee" mean a person who has been granted permission, whether before or after the commencement of this Code, to occupy, for the purposes of a building aits, land belonging to the Government in a cantoniment, and includes the successors in interest of a lessee

This Code couriets not only of relessmade under so 25 and 25 of the Cantonments Act, 1416 (EV of 1410) but also of serials enactments applied in exercise of the powers conferred by a 23

### (Chapter II -Cantonment Committees and Control -Section 3)

- (k) "licensed market" means a private market licensed by the canton
- ment authority

  (I) "licensed slaughter house" means a private slaughter house licensed
- hy the cantonment anthority

  [m] "market" means a place in a cantonment where persons periodically
  assemble for purposes of selling any articles of food for human
- consumption

  (n) "notification" means a notification in the local official Cazette
- (o) "notified" means published by notification
- (p) "private market" means a market not maintained by the canton ment authority
- (q) "private slaughter house" means a slaughter bouse not maintained hy the cantonment anthority
- (r) "public market" means a market maintained by the cantonment authority.
- (s) "public slaughter house" means a slaughter house maintained by the cantonment authority
- (t) "regumental bazar" means a bazar under the management of regumental authorities
- (u) Sanitary Officer "means, where no Sanitary Officer has been specially appointed, the senior axacutive Medical Officer in military employ on duty in a centonment
- (v) "sarát' means a huilding in a cantonment ordinarily used whether wholly or in part, for the accommodation of nativa travellers
- (w) "slaughter house" means a place in a cantonment ordinarily used for the slaughter of animals for the purpose of selling the firsh for human consumption
- (x) "source of public water supply" includes avery public well, tank,
- (y) street and does now are recording or ere and a bit is or with was
  - way and
- (z) "treasury" means the Covernment treasury or sub treasury, or the bank or place prescribed by or under section 20 of the Cantonments Act, 1910, for the custody of the cantonment fund of a cantonment xv et 1910

(2) Where any question arises as to whether a building is or is not a sarái, or a place is or is not a slaughter bouse, it shall be decided by the cantonment authority, and the decision of the cantonment authority thereon shall be final and conclusive.

### CHAPTER II

## CANTONMENT COMMITTEES AND CONTROL

- Comstitution
  3 (1) In every cantonment with respect to which the Local Government has determined that a Cantonment Committee is to be constituted, the Contonment Committee shall ordinarily consist of the following members, namely—
  - (a) at the head quarter cantonment of a Division or Brigsde, e combat ant officer appointed by name in Station Orders by the Officer Commending such Division or Brigada, in all other cases the Commending Officer of the cantonment;

(Chapter II - Contemment Committees and Control - Sections 17)

(3) any Magistrate of the first class, being also a Justice of the Pea a appointed by the Latrict Magnifrate to represent him :

Provided that where the condition that such Magnetrate must elio be a Justice of the Frace carnot be fulfilled the District Magistrate may, will the concurrence of the O" oer Commaning the District may have preventiate a Magnetrate who is not a Justice of the Peace, until such time as an of cer rossess no that qualification is available;

- (c) such Commending Officers in the extremment as mor be appointed in Station Orders to be members:
- (d) the Cartonment Maglatrate.
- (a) the Sanitary Officer :
- (f) the Executiva Engineer; and
- (a) the District Soperintendrat of Pelice
- (\*) At the head-quarter cantonment of the Division or Brigads the officer as pointed under subsection (1) claims (a), in all other cases the Officer Communities that the case the officer is a communities and the Cantonment Visgistrate shall be the Secretary

(3) If the President is absent from any meeting, the next serier combatant

officer present shall preside on that occasion a The Officer Commanding the Division may, by order in writing, appoint and thest armorest residents of the cantoment, whether officials or non-clicials to be continued additional members of the Cantoment Committee for such period as may the Committee

titled in the order and may similarly revoke any appointments so muce to in the order and may similarly revoke any appointment or fit Cantennass . The Contennent Committee (if any) shall discharge the functions of the Cantennass committee (if any) to the content of the Cantennass committee (if any) to the cantennass committee (if any) shall discharge the function of the Cantennass committee (if any) shall discharge the function of the Cantennass committee (if any) shall discharge the function of the Cantennass committee (if any) shall discharge the functions of the Cantennass committee (if any) shall discharge the functions of the Cantennass committee (if any) shall discharge the functions of the Cantennass committee (if any) shall discharge the functions of the Cantennass committee (if any) shall discharge the functions of the Cantennass committee (if any) shall discharge the functions of the Cantennass committee (if any) shall discharge the functions of the Cantennass committee (if any) shall discharge the functions of the Cantennass committee (if any) shall discharge the function of the Cantennass committee (if any) shall discharge the function of the Cantennass committee (if any) shall discharge the function of the Cantennass committee (if any) shall discharge the function of the Cantennass committee (if any) shall discharge the function of the Cantennass committee (if any) shall discharge the cantennass committee (if stated in the order and may similarly revoke any appointment so made

e. (I) The Coverner General in Council, after consultation with the Local Priviles where Government and the Officer Commanding the Division, may, by neighborine the divert, in respect of any cantenment in which o Cantenment Committee has Cantenment and the Council of the Coun

captorment sethority

of the functions of the cantonment authority under this Codo-(a) shall be in sheyaoce, nr

cantonment outherity under this Code

بالميكا مستهورة المكال أحسانا مهادية الهاولة أكا

Meetings of Cantonment Committee

7. (1) The Cantonment Committee (if any) shall meet for the transaction Time and place of business once at least in every month, and at such other times as the Presi of mestings and dent may direct

- (2) The time and place of each meeting shall be announced in Station Orders and shall be communicated to each member by a notice in writing asned hy the Secretary
  - (3) Every notice assued under sub section (2) abult .-
    - (a) unless the President in any case otherwise directs be issued so as to reach each member three clear days before the meeting takes place.
    - (b) be accompanied by on agenda paper specifying the business to pe transacted at the meeting
- (4) The President may permit the consideration of any humaness not specified in the agenda paper as aforesaid, unless a majerity of the members require its postponement to a later meeting
- (5) The President may by order in writing adjourn any meeting to any date to be fixed by the order

## (Chapter II -Cantonment Committees and Control -Sections 8 14)

Six days notice required in

ition or modification of any st six clear days notice in

certa cases

ig unless there are present

Quorum

(a) three members of the committee, or (b) half the total number of members whichever number is the creater

Minutes of proceed ngs to be kept

P Not -

Meetings to be public

TO et

President for ressons to be recorded in the minutes otherwise directs Decis on by major of of

12 (1) All questions coming before a meeting shall be decided by a majority of the votes of the members present and voting

(2) In the case of an equality of votes the President shell have a second or casting vote

(3) The dissent of any member from any decision of the Cantonment Committee with an abstract of the grounds therefor shall if the member so requests he entered by the Secretary in the minutes

13 (1) If the President dissents from any docision of the Cantonment Committee he may for reasons to he recorded in the minutes by order in

Fower of President and Dit of Basis rate to snepand act on pending reference to blaher authority

> receipt of such notice direct the suspension of action on the decision pending the disposal of the reference to the Local Government and shall forthwith report the metter to the Officer Commanding the Division through the Officer Commanding the Brigade of any

> (5) If the Magistrate oppointed to represent the District Magistrate on the Cantonment Committee is present at a meeting and dissents from any decision which he considers prejidicial to the public health safety o con

Contrelling powe s f Cfficer mmanding the B Igade

- 14 (1) The Officer Commanding the Brigade may by order in writing -(a) call for any book or document in the possession or under the control of the cantonment authorsty
  - (b) require the cantonment anthority to formsh such statements ac counts reports and copies of documents relating to its proceedings or duties es ho may think fit,
  - (c) rer ... -11 م فرو د سفر فروس الاستان مير فروسه الايو فرو

- (Chapter II -Cantonment Committees and Control -Sections Chapter III -The Cantonment Vaguetrate and Cantonment Servants -Section 17 1
  - (d) direct that any matter or any specific proposal, other than one which has been referred to the Local Government under section 13, and section (2), be brought before the Cantonment Committee

(f) The Officer Commanding the Brigade may, by a like order,-

- (r) direct the suspension for such period as may be stated in the order, of action on any decision of the Cantonment Committee which may not been referred to him under section 13, sub section (1); or
- (f) when any decision of the Cantonmant Committee has been referred to him under section 13 subsection (1), either-
  - (i) cancel the order given by the President directing the enspension of action, or
  - (ii) extend its duration for such period as may be stated in his order or
    - (iii) declare the modifications with which the decision may be carried into affect by the Contonment Committee
- (3) When the Officer Comman ling the Brigade directs the suspension of action on any decision of the Cantonment Committee, or extends the durstion
- of any order of suspension he shall forthwith refer the matter to the Officer Commanding the Division 18 The Officer Commanding the Division may, by order in writing,-

  - (d) exercise any of the powers conferred by section 14, sub-section (1), were set on the Officer Commanding a Brigade, the Dir slov. (b) direct the suspension for such period as may be stated in the order, of action on any decision of the Cantonment Committee which has
    - not been reported to him under section 13 anh section (\*), or refered to him under section 14 aub section (3), or
  - (e) when any decision of the Cantonmant Committee has been referred to him under section 14 sub-section (3), either—
    - (1) cancel the order given by the President or the Officer Commanding the Brigade as the case may be, directing the
    - (ii) extend the duration of the order for such period as may be stated in his order, or
    - (iii) declare the modifications with which the decision may be carried into effect by the Cantonment Committee
- 18 When any decision of the Cantonment Committee has been referred to Controll as the Local Government under sect on 13 sub-section [3], the Local Govern powers of Local ment shall consult the Officer Commanding the Division and may then, by Determinent order in writing either-
  - (a) cancel the order given by the Tresident directing the suspension of action. or
  - (b) estend its duration for such period as may be stated in its order, or
  - (c) direct that no action be taken on the decision; no
  - (d) declare the modifications with which the decision may be carried into effect by the Cantonment Committee

#### CHAPTER III

## THE CANTONMENT MAGISTRATE AND CANTONWENT SERVINGS

### Cantonment Magistrate

Uniforment suggestions the executive officer of the Politics and cantonment authority, and all orders of the cantonment authority shall be decanous Magnitude Magnitud

a 2

(Chopter III -The Cantonment Magistrate und Cantonment Servants -Sections 18 22 \

- (2) The Cantonment Magustrate, as Secretary of the Cantonment Com antonment authority shall be subordi e cantonment or at the head quarter the officer appointed under section 3
- (5) The Cantonment Magustrate shall see that all orders of the can tonment anthority are duly obeyed
- (4) The Cantonment Magistrate shall as far as practicable, keep a record of every final order assued by him in his official capacity

### Cantonment Servants

20

Number and salarres of serva ts of ceptonment anthor tr

and salaries of the servants to he employed by it shall be subject to the sanction and control aforesaid

(2) Every alteration in the number of such servants or in their salaries

XV e

. . . 19 The Cantonment Magastrate aball mountain such public register of menial servants employed by the cantonment authority as may be instituted

Register of manial servents of cantonment suthority Appointment and superr sinn of servation of

eauto ment

authority

by that authority

20 The Cantonment Magistrate abalt-

- (a) appoint all servants required by the cantonment at thorsty (b) apportion control and superintend the performance of the duties of all such servants,
  - (c) disbusse the salaries of all such servants and
  - (d) deal with applications from such servants for leave of absence

Provided that no person shall be appointed under this section v ho has been dismissed for misconduct from employment under any other cantonment or local authority or any Department of the Government 21 The Cantonment Magistrate may for reasons to be recorded by him

Problement of sergants of tayes Ina. acthority

- in writing fine suspend dismiss or reduce to a lower grade or salary any servant of the cantonment authority Provided first that no fine so imposed shall exceed one week a salary of
- the servant fined

Provided secondly, that the Gautonment Magistrate shall submit to the cantonment authority a monthly list of all such fines suspensions dismissals and reductions

Pens ty for the duty employed by or vetracting with the authoniv

22 Whoever obstructs or mole-ts any person employed by the canton room

(Chapter III -The Cantonment Magistrate and Cantonment Servants -Sections 25 26 1

Whoever, being a sweeper employed by the cantonment authority, in

I xplanation -In this rection the word "sweeper" includes any mental employed by the cantonment authority in the removal or disposal of filth or Luppish

24. (1) The Cantonment Magnetrate shall require every servant of the Samulti tole manners authority who is entraited with the receipt, custody or control of fermitted by manneys or securities for money, to furnish security for the due discharge of epatomsel. his office to such amount as the cantonment authority may determine

- (#) No security shall be accepted other than a deposit of-
- (a) cash, or
- (b) Government securities, or
- (c) shares in the Bank of Bengal, the Bank of Madras or the Bank of Bombay, or
- (d) debentures or other accurates for money assued by or on behalf of a local authority

Explanation -In this section the words "deposit of cash" include savings bank deposits if pledged to the President of the Cantonment committee, or where there is no such committee, to the Commanding Officer

of the cantonment 25. On or about the first day of January in each year, the Cantonnient annual report Magnatrate shall submit to the cantonment authority a report as to the sufficient expensive.

ciency of the security furnished by or on behalf of its servants

f security farnished

Provided that no such moneys or securities as aforesaid shall be delivered np,-

4 3 Lm m m h half # . . . . m m # # ##

(b) if deposited by or on behalf of a contractor, then, in the absence of any condition in the contract to the contrary, until after the lapse of such time after the completion of the contract to the satisfaction of the contonment authority as that suthority may direct

(Chapter IV -Cantonment Fund -Sections 27 29 )

#### CHAPTER IV

#### GANTONNENT FUND

## Credits to Fund

#### credited to cantonment fund

- 27 There shall be placed to the credit of the cantonment fund the fellow Some to 1 e ing sums, namely -(a) all sums directed by section 19 aub section (1), of the Cantonments
  - Act 1910 or by nr under any other enactment for the time being xy of in force, to be placed to the credit of that find, and
  - (b) all grants in aid and other sums received by the cantonment authority "n aid of that fund 28. (1) The Secretary to the Government of India in the Army Depart

## Grants Insald.

- ment shall, from time to time, intimate to the Officer Commanding the Divi sion the annual sum (if any) which will from time to time be placed at his disposal by the Government of India as a grant in aid to the cantonment funds in his Division
- (2) The Officer Commanding the Division shall distribute the said sum among the said cantenment funds in such proportions as he may think fit Application of Lund

### Purposes to which canton be applied

- 29. (1) The cantenment fund may be applied to the fellowing purposes within the cantenment, namely -
  - (a) the payment of any expenses directed by or under any enactment for the time being in force to be debited to the fund,
  - (b) the payment of such allowances to officers perforoung the duties of Cantonment Magistrates, as the Commander in Chief in India with the concurrence of the Local Government may determine,
  - (c) the provision and maintenance of an office for the cantonment author ıty,
  - (d) the payment of the salaries of the cantonment establishment, or any centribution to a provident fund on account of any member of that
  - (e) the survey of buildings and lands,
    (f) the management and improvement of lands and other property placed
    by the Government under the management of the cantonment authority, including-
    - (1) the construction and maintenance of streets (other than those maintained from Imperial or Previncial funds),
    - (u) the lighting, watering and cleansing of streets, and
      (iii) the maintenance of public parks and gaidens and the planting and tending of trees,
  - (g) the provision and maintenance, or the aiding, of hospitals, dispens aries and schools and the conveyance of patients to and from md at .
    - (1) the pay of the public conservancy establishment,
    - (ii) the construction of public latrines and other conservancy works, and
    - (un) the purchase of all necessary consciouncy carts, utensils and other appliances,

## (Chapter IV -Contonment Fund -Sections 30-35)

- the burial, burning or other lawful disposal of the corpres of paupers and unknown persons.
- (m) the obalement of nursences
- (a) the taking of a census, and
- (o) generally the payment of all expenses incurred under this Gode or any other rule or law for the time being in force



### Fatimates and Sanctions

- 30. No mone; shall be paid from the cantonment fund unless the capendi. Mosey not to be paid onless ture is either—
  - (e) provided for in the annetwored budget estimate, or by reappropriation subclosed under section 35 or
  - (b) sanctioned by the Officer Commending the Division, and
  - (c) in the case of expenditure on Public Works, unless detailed estimates have been prepared and sanctioned
- 31 The cantonment authority shall under the direction of the Officer Empossibility Commending the Division be responsible for estimatering the finds pro-lor-stabilistic vided in the sanctioned budget estimate or sanctioned under section 30, the loads clause (5)

  32 (1) On the fluit day of Jone in each year, or on such other date as sammelias and the Officer Commanding the Division may direct, the candonment authority sasticities when the Division as the Care may be a budget estimate or the receipts (pollular) columns of the Division as the Care may be a budget estimate of the receipts (pollular) columns.
- shall submit to the Officer Commanding the Brigade or Officer Commanding budget the Division as the case may be a bindget estimate of the receipts (tocluding estimate any grantin and) into, and expenditure from, the cantenment fund for the ensuing finencial year
- (2) The budget estimate shall be framed in accordance with Form B in Schedule I, or in such other form as may from time to time be prescribed by the Compitoller General with the previous sanction of the Governor General in Council.
- (3) The Officer Commanding the Brigade may revise the bidget estimate and shall submit it to the Officer Commanding the Division
- (4) The Officer Commanding the Division may senction the budget estimate, with or without medification
- (5) The sanction of the Officer Commanding the Division to the bidget estimate shall be communicated by him to the Officer Commanding the Brigade and the eartonment authority
  - 23. (1) The eantonment authority may-

Re-appropris

(a) with the previous sanction of the Officer Commanding the Division, re appropriate any sum from one major head of the budget estimate to another

(Chapter IV -Cantonment Fund -Sections 34 36 )

(b) with the previous sanction for a company

or Officer Commanding priate 2ny sum from o estimate to another min

estimate to another min head, or from one major bead to another

(2) A copy of every order made under an section (1) (b) shall be cent by the Officer Commanding the Brigade to the Officer Commanding the Division

Provided that no allotment to any major head shall, by reappropriation be varied by more than 10 per cent of its original amount, except with the previous sanction of the Officer Commanding the Division also

## Payments 1 4 1

Examination and order for payment of claims

- aution 34 (1) Every claim for payment from the cantonment fund shall be suprefer to to the cantonment fund shall be presented—
  - (a) to the President of the Cantonment Committee, or.
  - (b) if so directed by the Officer Commanding the Division, to the Secretary to the Cantonment Committee, or,
  - (c) where there is no Cantonment Committee to the Commanding Officer of the cantonment
  - (2) The Precident, Secretary or Commanding Officer, as the case may be, chall check and examine every claim presented under sub-ection (1), and, if it is found correct and is supported by a voucher as aforesaid, aball sign an order for the payment thereof.
    (3) If manufact is to be made from the impact, the order for payment.
  - (3) If payment is to be made from the imprest, the order for payment shall be "Pay in case rupees (in words)," and, if payment is to be made by cheque, the order shall be "Pay by cheque No, deted, rupees (in words)," the blanks being filled up when the cheque is signed

Payments how to be made

- 35 Payment chall be made. -
- (a) if the cum to be paid doce not exceed twenty rupees, in cash, and,

Chrenes

- (5) if the sum to be paid exceeds twenty rupees, by cheque 36 (1) Money may be drawn from the cantonment fund only by means of a cheque written in Form 4 in Schedule I
  - (f) Every cheque shall be signed as follows --
  - (a) where there is a Cantonment Committee,—
    - (i) if the snm to be paid does not exceed five bundred rapees by
    - the Secretary, or,

      (ii) if the som to be paid exceeds five handred rupees, by the
      President,
  - (b) where there is no Cantonment Committee, by the Commanding Officer
  - of the cantonment

    (5) Cheques drawn in favour of a Government officer shall be made payable
- to order, and cheques drawn in favour of any other person shall be made pay able to bearer (4) All cheque forms shall be bound in books with counterfoils
- (5) Every cheque book shall bear a number, and each officer anthorized by sub section (2) to sign cheques shall notify to the treasnry the number of the cheque hook which he from time to time brungs into use
- (6) On each cheque form there shall be entered the number of the cheque book in which the form is contained, and a consecutive number
  - (\*) There shall be noted on the outsile of each cheque hook an order for its personal cu-tody under lock and key by the officer who is authorised to use the

### (Charter IV -Cantonment Fund -Sections 37-12)

book for the purpose of signing cheques; and, when anch officer is relieved, he shall take a receipt for the number of theque forms made over to the relieving officer and shall send to the treasury a specimen of the signature of the relieving officer.

(5) No cheque shall be current for more than three months from the duton which it was drawn. After the expiration of that period payment will be reluxed at the treasury, and it shall be necessary for the person in whose favour tha chepte was drawn, to return it. In the avent of a cheque height are returned, no first he cheque will be precised but the lapsed cheque shall be redated, and the alteration initialled, by the officer whose duty it would be under sub section (17), to sign the cheque, a note of the tack of redating being content of the cheque and the cheque, a note of the tack of redating being content.

entered in the register of payments against the original transaction

the Accountant ecs, to form an

(f) The amount of petty payments met out of the imprest shall be reconped

38. Overdrafts on the cantonment fund shall be allowed only if sanctioned Orerdrafts by the Officer Commanding the Division.

## Receipts

39. (1) All moneys received for credit to the contemporal fund shall be no, encountered in a register of receipts, to be kept in directly or through a substantary register and, and and fittes, shall be acknowledged by reschedule.

(2) All receipts granted by way of acknowledgment under sub section (1) shall bear printed numbers in a consecutive series for each kind of receipt, and the number of every receipt so granted shall be entered in the second column of the register of receipts, or in the appropriate column of a subsidiary

register
40. The cantonment authority shall be responsible for making such reponsibilite arrangements as will secure -

(a) that all moneys received for credit to the cantonment fund are duly receipts brought to credit in the accounts

(b) that all moneys so received, with the exception of grants in aid and fines, are duly acknowledged by receipts in the form prescribed by section 30, or by chalins duly receipted by the Treasury Officer; and

(c) that, whenever a receipt is given, the toil and counterfoil ere duly filled up

## Account of the Imprest

### Bills for Expenditure

42, (1) Every item of expenditure shall be entered in a hill of one of the Expenditure to following kinds, namely —

(a) an establishment pay bill -- for the pay of members of the cantonment

## (Chapter 1V -Cantonment Funds -Sections 43 48)

- (b) a travelling allowance bill-for the travelling allowances of members of the cantonment establishment, or
- (c) a contingent bill-for all charges other than the pay and travelling allowances of members of the cantonment establishment
- (2) Every establishment pay bill and every travelling allowance bill shall be prepared in the form for the time being prescribed by the Civil Account Code (3) Every contingent bill shall contain full details of the charges incurred

#### Clarms by con tractors or 43. (1) Claims for supplies or services by contractore or tradesmen shall be paid on bills presented by them tradesmen

- (2) Where any such claim as aforesaid is paid by cheque, the payment shall be at once entered in the register of payments, and, where it is paid in cash, the payment shall be entered in the imprest register
- (3) Where a contractor or tradesman presents his bill in the vernacular, a brief abstract shall be endorsed thereon in English, stating the amount, the name of the payee and the nature of payment in the terms prescribed by Article 9 (b) of the Civil Account Code

## Patty charges to Imprest

- 44. (1) All petty charges to be met from the imprest shall be entered in barnet from the bills prepared in the form for the time prescribed by the Civil Account Code (2) Such bills as aforesaid shall be supported .-
  - (a) in the case of a payment for a telegram or of any other sum exceeding ten rupees by the onginal voucher on which the payment was actually made, and,
  - (b) in other cases by a certificate that the receipts of the payers have, as far as possible been obtained, and have been so destroyed, defaced or mutilated that they cannot be used again
  - (3) The certificate referred to an clause (5) of sub section (2) shall be signed by the Secretary to the Cantonment Committee or if there is no Cantonment Committee, by the Commanding Officer of the cantonment

## Charges Incur red Airect by captonment anthority

- 45 (1) All charges incurred direct by the cantonment authority and paid by cheque shall be entered in bills prepared in the form for the time prescribed by the Cavil Account Code
- (2) The following certificate shall be recorded at the foot of every ench hill and signed by the Secretary to the Cantonment Committee or, if there is no Cantonment Committee, by the Commanding Officer of the cantonment,
- I certify that the exper dature charged in this bill could not, with due regard to the interest of the cautor mant be avoided. I have setteded impact that the charges entered in this bill have really here paid.
- (3) In the case of expenditure on Public Works, the usual completion certi ficate shall be furnished

### Entry of Cheques in Accounts

#### Entry of pay cpedge ments by Deduction of amount of cancelled rheques,

- 46. All payments made by cheque shall be entered in the register of psy ments, the youthers being numbered in a monthly consecutive series
- 47. Where a cheque is cancelled, the amount thereof shall be deducted from the expenditure by a minus entry in the appropriate column of the reguter of payments. The deduction shall then pass into the cash book through the daily total of payments carried into it.

### Accounts and Returns

Chan Look

48. The cantonment authority shall keep a cash book in Form 7 in Scheduls I The cash book shall be balanced monthly, and the balance shown in it

(Chapter 11' .- Cantonment Fund -Sections 19 51 )

reconciled with that shown in the pass book, to be kept in Ferm 3 in the said schedule, as follows :--

P	alance as per pass boo	k		
,	Amount of imp Money receiv treasure		f r remilitance	ı
			1 est	
I	e paibaulete O- bebe	beines, as bec-	letaffa be ow -	
	Balance as per	rack beeck		
	Cheju	galfeshteo :	on.	
	<b>\</b> 0	Date	Amount	

49. (1) In the registers of receipts and payments the amounts sanctioned Patry of budget in the budget estimate for the year shall be entered at the top of the columns estimate in registers of the for the beads for which separate estimates are made

. . . . .

Total

celpia and per mente . . - . . . . . - nay be same

estimate in i register in

50 (f) At the end of each menth the figures in the regulers of receiple solut of remelts and payments shall be added up, the totals up to the end of the last praceding as appeared month being added to those of the menth just expired and grand totals being be serviciated made from the first day of April last preceding

- (2) Where the grand total under any head in the register of payments shows that the budget grant is likely to be exceeded, application shall at once be made for orders under section 30 clause (b) or section 33 as the circum stances may require, to cover the excess
- 51. (1) The accounts of the cantonment fund will be audited locally by addited the staff of the Examiner or Inspector of Local tund Accounts on behalf in accounts the Accountant General every year To facultate audit, all vouchers, with all sub vouchers above RiO stached to them, should be numbered in monthly series and filed in separate files for the several mouths. These vouchers, all registers maintained in the cantonment office and all other documents required for purposes of audit, should be produced whenever called for by the auditors, and any explanation required by those ufficers for the settlement on the apot of objections reised should be furnished without delay

The andit report should contain the following certificate .

### The Contoument Code, 1912

(Chapter IV .- Cantonment Fund -Sections 52 55 )

tung are being kept according to the prescribed rules. He knowld also advise the cantonment authorities on financial matters generally if necessary

(4) All cases of fraud or embezzlement should at once be reported to the Accountant General who will at his discretion depute an anditor to investigate into the case and report to the Officer Commanding the Division the result of

Exception -The provisions of this section do not apply to the Aden cantonment fund, the secounts of which are sudited by the Accountant General, Bombay

Annual consoll dated secount

52. (1) The cantonment authority shall prepare annually a consolidated account showing the receipts into, and payments from, the cantonment fund, classified under the major heads, minor heads and sub heads contained in the monthly accounts

while the company of the party 348.00 مه مه د سودم ا 141

(3) The consolidated account shall be forwarded su duplicate to the Examiner or Inspector of Local Accounts who will compare the two copies and forward one copy to the Officer Commanding the Division, retaining the other copy in his own office for check by the local auditors during audit with a view to furnishing the certificate of correctness

Exception -The provisions of sub sections (2) and (3), so far as they relate to the local audit of accounts, do not apply to the Aden centonment fund

#### Classification

Claudication of receipts and espenditare

53. (1) All receipts into, and expenditure from, the cantonment fund shell be classified, in the monthly and annual accounts, in accordance with Form 8 in Schedule I

(2) All expenditure shall be classified in the monthly accounts under the appropriate major heads, minor heads, and sub heads with reference to the

da a continuous fund year man

## Remettance to Treasury and Pass Book

All moneys to be remitted to tressory

54. The cantonment authority shall remit to the treasury all moneys re cerved for credit to the cantonment fund

55. (1) Remittances to the treasury may be made either daily or weekly Procedure for remittances to treasor?

as may be most convenient

Provided that all moneys in hand on the last working day of each month shall be remitted on that day

(2) Every remittance shall be accompanied by a chalan or invoice and by the pass book.

(3) Where a remittance is made, the officer in charge of the treasury shall forthwith acknowledge its receipt by an entry in the pass book, and shall enter on the charge side of the pass book particulars of cheques paid up to date as recorded to his register.

### Chapter IV .- Cantonment Fund -- Sections 56-59 Chapter V .- Contracts --Sections 60 61.)

- (1) The pass book shall be sent to the treasury on the last working day of each mouth, whether er not there are any moneys to be remitted to the treasury on that day. The efficer in charge of the treasury shall then close the pass book for the month, and enter therein in words the halance in hand, signing the entry
- 88. (1) The cantenment authority shall from time to time examine the Supervision of pass book and shall forthwith call the attention of the officer in charge of the pass book by treasury to any discrepancy appearing between the credits or debits shown authority therein and those shown in ite recisters

4. . . . ' - flicer in charge of the , no entries or merks y any member of the

57. In addition to the forms above prescribed the contonment authorities account forms of the contonments in the Madras Pres dency, the funds of which are subject for contonments to local sudit by the Accountant General, Madras, shall maintain registers in Radiase Presidency the forms specified in Schedule II, or in such other forms as may from time to time be prescribed in substitution thereof for adoption in the district muni-

Abstract Staten ents of Estimated and Actual Income and Expenditure

cipalities of the asid Presidency

56. The Officer Commanding the Division shall forward to the Govern Atstract state ment of Iddia in the Army Department, through the Quarter Master General settingsteland on India .ectual income and expenditure.

(n) en abstract statement of the estimated income and expenditura from the several captonment funds in his Division, and,

(b) as soon as possible after the close of each financial year, a statement showing under the several beads and sub beads of receipt and expenditure set forth in Ferm 8 Schedule I, the actual income and expenditure of each of the contonment funds in his Division for the preceding financial year, together with a certificate showing that the closing cath balance of each fund as shown in the snaugl account prescribed by section 52, has been compared with the balance as shown in the treasury pars book and found to be correct

Submission of proposals as to taxation

59. Ill proposals made by the cantonment authority for the imposition, Sabmisson of abolition or modification of any tax shall be submitted to the Officer Comproposities to traction manding the Division for transmission to the Local Gevernment

#### CHAPTER V

#### CONTRACTS

60. Every contract made by the cantonment authority shall be executed Contracts by on its helaif by the officer authorized by the Gevernee General in Council so to whom to be executed the under section 2 of the East India Contracts Act, 1870

61. No lease or other contract, which is to remain in eperation for niore sanction than twelve months, shall be executed on behalf of the cancionment sutherity residently secretion of

without the previous sanction of the Officer Commanding the Division Provided that where any such lease as aforesaid is a lease of land, the remain in opera-

sanction of the Officer Commanding the Division shall not be given without the than twelve concurrence of the Local Government months

" As to the officers sutborized under this Statute to execute contracts, see the following Resolut on of the Government of India in the Hours Department, namely s-Nos 1600-1650 (Judicial), deted the 9th Ot aber, 1911-bupplement to the Gasette of India, 1911.

(Chapter V - Contracts - Sections 62 65 Chapter VI - Nuisances and Sanitation - Section 67)

Reference to Executive Engineer prior to exec tion of contracts for works

Commanding

Cupton ment requir d to

ex cution of

exc eding nne

in value

bandred ropees

- 62. No contract for the execution of a work shall be executed on behalf of the cantonment anthority unless it has been examined and approved of by the Executive Engineer
- Provided that, where a work is estimated to cost not more than five hundred rupees, the contract shall not be referred to the Executive Engineer unless the contoment authority so directs
- Sanctina of Castomment authority so directs

  43 The officer authorized, as provided by action 60 shall not execute on 60 officer authorized, as provided by action 60 shall not behalf of the cantonment authority any contract the value or amount of which of the cantonment authority any contract the value or amount of which of the cantonment authority any contract the value or amount of which of the cantonment authority and the canton for t

(a) the Cantonment Committee, or,

- (b) where a Cantounent Committee has not been constituted or bas ceased to exist or cannot be conveued, the Commanding Officer of the can tonment
- The 2 3 to 4 m and common whose there are Contormant Common ties

Form of contracta ex erd ng fifty rupees in value

95 value or amount of which exceeds fifty rupes except a contract for the and of movable projectly shill be so writing and if the contract is for the execution of a work it shall be prepared in the form in use for that purpose in the Publ i Works Department under the orders of the Local Government

Security for foldiment of contract

- 66 (1) The cantonment authority may direct that security be required for the fulfilment of any contract to be executed on its behalf, and that the whole or any part of the security be deposited before the contract is executed
- (2) Where any security in required under and section (1) it shall be of the nature specified in section 24 sub-section (2), and shall be of such amount as the cantonment anthority may think fit
- (3) Where any security required as aforesaid has been given, the contract shall not be executed noises—
  - (a) it contains a clause specifying the nature and the amount of the security senuired and
  - (b) any sum directed to be deposited has been lodged with the canton meet authority

Saving of leases for build og sites

66 Nothing in this Chapter shall apply to any leave of land for the purposes of a building site

### CHAPTER VI

#### NUISANCES AND SANITATION

Vaugances

Offences in road of public place

- 67 (1) Whoever,---
- (a) in any street or public place within the cantonment,-

(1) is drunk and disorderly, or drunk and incapable of taking care

- of himself or
  (ii) uses any threatening abusive or insulting words, or behaves
  in a threatening or insulting manner, with intent to
- in a threatening or insulting, manner, with intent to
  provoke a breach of the peace, or whereby a breach of the
  peace is likely to be occasioned, or
  (iii) cases himself or wilfully and indecently exposes his person
- (iv) begs importunitely for alms, or

- (Chopter VI .- Nuisonces and Sanstation -Section 67.)
- (v) exposes or exhibits, with the object of exciting charity, any deformity or disease nr eny nifensive sore or wound; or (vi) carries meat exposed to public view; nr

(vii) is found gaming; ne

- (viii) pickets snimals or collects carts; or (ix) being engaged in the remnyal of night-soil or other offensive matter or rubbish, neglects in sweep away or otherwise effectually remove any portion thereof that may spill or fall on to such street or public place; or
  - (x) without proper authority, affixes or causes to be affixed any bill, notice or other document upon any building, monn ment, post, wall, ience, tree or other thing, or
- (xi) without proper authority, defaces, or writes upon, or otherwise marks, any boilding, monument, poet, wall, fence, tree or other thing, or
- (xii) without proper authority, removes, destroys, defaces or other wise obliterates any notice or other document put up or exhibited under this Code, or
- (xiii) without proper authority, breaks, throws down or damages any direction post, lamp, lamp post or other thing main . tained by the contonment outhority in such street or onb he place, or
- (xit) carries a corpse, or cances the same to be carried, without keeping it decently covered, or without taking due pre caution to prevent risk of infection or injury to the public health or annoyance to passers by or to persons dwelling in the neighbourhood, or
- (av) carries night soil or other offensive matter or rubbish at hours, or by roads prohibited by the cantonment authority by public notice or in any pattern of cart or receptacle which has not been approved for the purpose by the cantonment authority or who fails to lose such cart or receptacle. when in use or
- (b) carries a corpse along a route prohibited by the contonment authority
- by public notice, or (e) deposits or permits his servent to deposit earth or materials of any description or any offensive matter or subbish in any place not intanded for the purpose on any street or public place, or waste or unoccupied land under the management of the cantonment author ity, or
- (d) having charge of a corpse, fails to bury, burn or otherwise lawfully dispose of the same within twenty four bours after death, or
- (e) makes any grave or buries or burns any corpse, at an unauthorized
- (f) having entered or used a public conveyance under the circumstances or for any of the purposes mentioned respectively in section 189, fails to disinfect the same to the estisfaction of the cantonment suthersty. or
- (a) keeps or uses, or knowingly permits in he kept or osed, any place as a
- or plays any music; or (1) by singing, screaming or shouting, disturbs the public peace or order -
- (A) discharges firearms or lets off fireworks or fire ballooes, or flies kites, or engages in any game, in such a manner as to cause or he likely to cause danger or sunoyance to persons passing by or dwelling or working to the neighbourhood, or risk of injury to property; or

Division of responsibility for sanitation

#### The Cantonment Code, 1912

(Chapter VI - Nursances and Sanitation - Sections 68 69)

- (i) lets loose any borse or other annual en as to cause, or negligently allows any horse or other annual to cause, injury, danger, alarm or annual volves to any nerson.
- annoyence to any person, or m) suffers any ferocious dog to be at large without e muzzle, or
- (n) sets on or urges eny dog or other animel to attack, worry or put in fear any person, or (a) being the occupier of any building or land in or upon which an animal
- (a) being the occupier of any building or land in or upon which as animal dies neglects within three hours efter the death of the enimel or, if the death orcurs at might, within three bours after sunrise, either.
  - to report the death to the Cantonment Magistrate or to some officer (if any) appointed by bin to receive such reports with a view to the removal and disposal of the carcass by the public conservancy establishments or
- (p) except with the written permission of the centonment authority, eftores or uses night soil manuse rubhish or any other substance emitting an offensive smell or
- (q) uses or permits to be need as a latrine any place not so mesnt to he used;
- shell be punishable with imprisonment for a term which may extend to eight days or with fine which may extend to fifty rupees
- (2) Whoever dose not take reasonable means to prevent any child under the age of twelve years in his charge from easing himself in any street or public lacs within the cantonment, shall be punishable with fine which may extend to tweety fire runees

Destroction of ties (1) The cantonment authority by any person authorised by it in this Footness the property of the cantonment authority by any person authorised by it in this Footness that Footness that the property of t

for such period as the cantonment authority may direct, any dog as authority or re-soundly suspected to be sulering from rabits or purs hose bitten by any dog or other animal sudering or suspected as afors Articley and the said,

(c) appoint from time to time by public notice certain periods within

a often short

#### Sanitation

69 The following officers shall for the purpose of sanitation, have

used by the establishments under his chalf e

(r) the Senior Supply and Transport Officers—all cattle yards slaughter
houses transport lines and other places used by establishments
under their charge

(Chapter VI - Nussances and Sanitation - Sections 20 23)

- (d) the head of any other Wilstary or Civil Department occupying, as auch, any part of the cantonment—all blocks of buildings, workshops and other places used by establishments under his charge
- (e) the Cantonment Magustrate—the Sadar Bazar, all roads, and all other parts of the cantonment not under the control of any officer men toned in clause (c), clause (b), clause (c) or clause (d)

æ -- -- --A my an engl to commend to the number Weekly assistany report.

71. The Sanitary Officer shall exercise a general sanitary appreciation over General duties the whole cantonment, shall report every insanitary practice and every in of San

72. The Cantonment Magistrate shall, subject to the other provisions of Cantonment Magistrates this Code and the rontrol of the cantonment authority,-

dulies in respect of sanitation

- (a) make, and supervise the carrying out of, all arrangements (including the provision and maintenance of a sufficient number of animals, vehicles, receptacles and implements, and of places for keeping the same) necessary for-(i) the removal of night-soil and other offensive matter and
  - rubbish from latrinea urinals streets and all other places, public and private from which the removal of the same by the public conservancy establishments is directed by the cantonment authority
  - (ii) the surface cleansing of all streets and the watering thereof, and
  - (iii) the maintenance in a samitary condition of public and private

#### aection 69.

- (b) make frequent inspections of all parts of the cantonment with a view to ensuring that all orders of the cantonment authority on samitary matters are duly obeyed and that the public conservancy establishments astisfactorily perform their duties, and
- (c) take all necessary steps for remedying any defects in the sanitary con dition of the cantonment of which he may become aware and for which funds can be provided

73. (1) So far as the funds at its disposal permit, the cantonment author rity shall provide and maintain, a sufficient number of public latrines and sufficient number of number of public latrines and maintaines and ministrates of maintaines and ministrates of ministrates.

(2) Such latrines and urinals shall be placed in proper and convenient tablishments situations as near as circumstances admit to the dwelling places or places of resort of the persons for whose noe they are intended .

Provided that, except with the previous sanction of the Officer Command ing the Division no latrine or urinal shall be placed within fifty feet and no trench latrine shall be placed within two hundred feet of any inhabited building

(Chapter VI -Nursances and Sanitation -Sections 68 69)

- (l) lets loose any horse or other animal so as to cause, or negligently allows any horse or other animal to cause, injury, danger, alarm or annoyance to any person or
- (m) suffers any ferocions dog to be at large without a muzzle, or
- (n) sets on or urges any dog or other animal to attack, worry or put in fear any person or
- (e) heing the occupier of any building or land in or upon which an animal dies neglects within three hours after the death of the animal or, if the death occurs at night, within three hours after surrise,
  - to report the death to the Cantonment Magnatrate or to some officer (if any) appointed by him to receive such reports with a view to the removal and disposal of the car ass by the public conservancy
- (p) except with the written permission of the cantenment authority, atores or uses night cell manure rubbish or any other substance emitting au offensive amell or
- (q) uses or permits to be used as a latrine any place not so meant to he used,

shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees

(2) Whoever does not take reasonable means to prevent any child under the age of twelve years in his charge from essing himself in any street or public lace within the cantonment shall be punishable with fine which may extend to twenty five ropes:

Destruct on of at ay dogs at appointed nameds

- 62 (1) The cantonment authority by any person anthorised by it in this [Cy United bohalf, may—
  - (a) destroy or cans 2 3 6 4 h h h d a for such peri suffering or hitten by any

1

- (b) c said,
- (c) appoint from time to time by public notice certain periods within
  - o w 3 amp ( 11 kg a kg ) a comp dog destroyed or other meludes a but shop.

Sandation

Dirigina of reposituity containing officers shall for the purpose of sanitation, have for satisfation

under their charge

(Chapter 11 -Nussances and Samtation -Sections 70 73)

- (d) the head of any other Military or Civil Department occupying, as such, any part of the cantonment—alf blocks of buildings, werkshops and other places used by establishments under his charge
- (e) the Cantonment Magistrate—the Sadar Bazar, all roads, and all other parts of the cantonment not under the control of any officer men tioned in clause (o), clause (b), clause (c) or clause (d)

Heckly sanitary report.

(\*) Where any such officer as aforesaid reports that any part of the canton ment under his control is not, in his npinion, in a sanitary condition, he shall specify the defects and may make such suggestions for remedying the same as he may tlunk fit

71. The Sanitary Officer shall exercise a general sanitary supervision over General duties the whole cantonment, shall report every meantary practice and every in of an lary

72 The Cantonment Magistrate shall, subject to the other provisions of Cantonment Magistrates this Code and the control of the cantonment authority .-

datias In respect of sanitation

- (a) make, and supervise the carrying out of, all arrangements (including the provision and maintenance of a sufficient number of animals, vehicles, receptacles and implements and of places for keeping the same) necessary for-
  - (t) the removal of night-soil and other effensive matter and rubbish from latrines urinals streets and all other places public and private from which the removal of the same by the public censervancy establishments is directed by the cantonment authority,
  - (u) the surface cleansing of all streets and the watering thereof
  - (iii) the maintenance in a sanitary condition of public and private

#### section 69.

- (b) make frequent inspections of all parts of the cantonment with a view to ensuring that all orders of the cantonmert authority on sanitary matters are duly obeyed, and that the public conservincy establishments satisfactorily perform their daties, and
- (c) take all necessary steps for remedying any defects in the sanitary con dition of the contonment of which he may become nware and for which funds can be provided

73. (1) So for as the funds at its disposal permit, the cantoument author this shall provide and maintain, a sufficient number of public latrines and phintenson and phinte

(2) Such latrines and urinals shall be placed in proper and convenient sabilabulats attuations, as near as circumstances admit to the dwelling places or places of resort of the persons for whose use they are intended .

Provided that, except with the previous sanction of the Officer Commanding the Division no latrine or urind shall be placed within fally feet and no trench latrine shall be placed within two handred feet, of any inhibited building

(Chapter VI -Nursances and Sanstation -Sections 74 77)

-1 - / 1 10 1 (4) Consents 7 to -

as the case may be

I frections as to provision of public lairings and estat lieb mente therefor

- 74 (1) In providing public latrines the centonment authority shall observe the following directions, namely -
  - (a) such number of latrines shall be provided as will admit of there being one compartment for the use of overy fifteen adults using the
    - (b) no latring shall be constructed for the use of more than five hundred adulte,
  - (r) every latrino, other than a trench latrine, shall be pro ided with pro per closed from receptacles in the proportion of not less than two for every hundred adults using the latrine, and with not less than one iron or glazed earthen pan for each compartment,
  - (d) for every latrine inther than a trench latrine, there shall be provided,
    - (1) for the cleansing thereof, sweepers in the proportion of not less than one for every hundred adults using the latrine, and
    - (ii) for the removal of night soil therefrom, air tight iron filth carts in the proportion of not less than one for every five hundred adults name the latrine, or, where carts cannot be used eweepers in the proportion of not less than three for every five hundred adults using the latrine, and
  - (e) for every trench latrine there shall be provided digging sweepers in the proportion of not less than one for every two hundred adults using the latrine

Provided that if in any case it is impracticable, owing to want of funds or for any other sufficient reason, fully to observe the foregoing directions, the Officer Commanding the Division may declare the extent to which they shall be observed

(2) No public latrine shall be constructed or rebuilt except on a plan ep proved of by the Officer Commanding the Division 75 The cantonment authority shall, whenever necessary, provide and

Receptacies or t laces for tem porary deposit matter and

Tobbish

elve matter and Compools

receptacles for

- maintain in proper and contenient positions receptueles or places for the temporary deposit of offensive matter and rubbish 75 The cantonment authority shall appoint places for the disposal of Places for dis 75 The cantonment authority shall appoint places for some of offer - might soil, coreasses and other offensive matter and rubhish
  - 77. The Cantonment Magistrato may, by notice in writing -
    - (a) require any person having the control, whether as owner, lessee or
      - occupier, of any land or hulding,-(i) to close any offensive cesspool belonging to the land or build
        - ing, or (ii) to provide a receptable (of a pattern if any approved of by the cantoment authority) for filth or sullage water eccu mulating on or in the land or building, or
      - (ui) to keep in a cleanly condition (in such manner, if any, as may
      - (a) to be performed the manufacture of a such manufacture, it any, it among years are the manufacture of the

into any dram not intended for the purpose, or

### The Contonnent Code, 1912

### (Chapter 11 -Nurances and Sanstation -Section 78)

- (b) require any person who has the centrel, whether as owner, lessee or occupier, of any land are hinding, and has allowed any offensive matter or rubbish to accumulate or remark the the public concilled the same and deposit at, for removal by the public conliaces situate at not-more than one hundred feet from the nearest boundary of the premare; as may be specified in the notice, or
- (c) require any ecreon to desist from making or altering any drain leading into a jubic drain, or
- ing into a jubic drain, or (d) require any person who is creating or likely to create a nuisance by-
  - (i) altering obstructing or encroaching upon a public drain, or (ii) impeding the flow of water owing to the absence of a culvert
  - ur the existence of an insufficient culvert under a path lead ing to his premises,
  - to desist therefrom, or
- (\*) require any person having the control of a drain to remove, within a period to be specified in the notice, any obstruction from the same, or to clears, purify, repair or after the same or otherwise put it in good order, or
- (f) require any person, being the owner, or having the control of any well, to disinfect or otherwise purify the same or protect it against contamination, in such manner and within such period as may be apenfied in the notice
- 78 The cantonment authority may by notice in writing -

Private Latrines.

- (2) require the number or other person having the control of any private latrine or urinal not to not the same to public use or
- (b) where any plan for the construction of private latrines or urinals has been approved of by the cantonment adolerity and copies thereof may be obtained free of charge on application,—

(1) req

that plan or

- (ii) require any person basing the control of a private latrine or urinal to rebuild or after the same in accordance with that plan, or
- (c) require the owner or other person having the control of any private

stood, or

- (d) require any person having the control, whether as owner lesses or occupier, of any land or building —
  - (1) to have any latrine provided for the same shut out by a sufficient roof and walt or feuce from the view of persons pass
    - ing by or dwelling in working in the neighbourhood or
      (ii) to cleanse with deedorants any latrine or urinal belonging to
      the land or building, or
- (c) where any land or building is intuite with in one hundred feet of a

(Clapter 11 -Nursances and Sanitation -Sections 79 85)

- (f) require any person who is constructing or laying a drain to obey any directions which the cantonment authority may, on the advice of the Executive Engineer, think fit to give in order to ensure the completion of the work to its satisfaction or
- (g) require any person, being the owner and having the control of any drain to provide and apply to the same, within ten days from the service of the notice such covering as may be specified in the notice

Provision of latrines etc

h notes n writes res the [C/ Pun Act 1fied III of 1911 s ther 12.] nm nt a tl . Is or

the

(2) The contonment authority may, by notice in writing require any person employing more than twenty workmen or labourers to provide such latrines and urinals as it may think fit and to cause the same to be kept in proper order and to be daily cleaned

Employment of

so (1) The cantonment authority may provide for the performance by [Cr. C. P. A. i. build XV of 1900 c. or fifth \$ and run of the of 1911 c. cupper 181]

fails to make airangements to the satisfaction of the contonment buth rits for the performance of such duties

(2) Where the contonment authority has provided for the performance by its agents of the duties referred to in this section all matter removed by such agents in performing such duties shall be at the disposal of that authority

Removal of nox lons regelstion.

81 The cantonment authority may by notice in writing require the owner lessee or occupier of any land to clear away and remove any thick or noxious vegetation of undergrowth which appears to it to be injurious to health or offensive to the neighbourhood

F lling up of tank or marshy ground or drain ing of or remov al of stagnant water.

notice to fill up the tank or ground or to drain off or remove the water, as the case may be

Provided that, if in the opinion of the cantonment authority it is un reasonable to throw the whole expense on the owner, lessee or occupier it may with the previous sanction of the Officer Commanding the Division require him to pay only a proportion of the expense

Removal of overerowded build nes

- (a) the Sanitary Officer.

\* \*\*\*\*

- (b) the Civil Surgeon of the district, or, if his services are not avail able some other medical officer of the Government and
- (r) the I recutive Engineer or some person deputed by the Executive Fugineer in this behalf

a) 11 ... 1 writing to the cantonms it and if at considers that use risk of disease to the rhood or to endanger the

(Chapter VI.-Nussances and Santation -Sections \$4 87)

(3) If upon receipt of such report, the cantonment authority is of opinion that all or any of the buildings indicated should be removed, it may, by notice in writing, require the owners thereof to remove them

Provided, first, that the cantonment authority shall make compensation to such owners for any buildings which may have been erected under proper authority : and

so to sub section nment authority . a committee of

Explanation -In this section, the word "buildings" includes euclosure walls or fences connected with buildings

> that any building used Reduction of health of the inmates number of y notice in writing, re growded crified in the notice, to dwelling the number of lodgers

85. (I) Where any building is so ill constructed or dilapidated as to be, Fower to require in the opinion of the cantonment authority, in an insanitary state, the can tar building tooment authority may, by notice in writing, require the owner, within a \*\*reper\*\* time to be specified in the notice, to execute such repairs, or to make such a time of the opinion opinion of the opinion opinio alterations, as it may think necessary in order to remove such defects

sonitary delects

(2) A copy of every notice issued under sub-section (1) shall be conspicu-ously posted on the huilding to which the notice relates

Explanation -A notice issued under subsection (1) shall be deemed to have been complied with if the owner of the building to which it relates, has, instead of executing the repairs or making the alterations directed by the notice, removed the building

(Chapter VII - Control over Streets, Buildings, Lands, Trees, etc - Sections 88 92)

### CHAPTER VII

## CONTROL OVER STREETS, BUILDINGS, LANDS, TREES, ETC

l'ower to ettach brarkets for lamps

Streets and Buildings

88 The cantonment authority may attack to the outside of any building [C/ Post
brackets for large in such manner as not to occasion any injury thereto or 101 to 1988
inconvenience.

lamps inconvenence cantonment authority may, by order in writing, permit the corporation of the property occupation of any street, or land verted in it, for the purpose of temporary occupation of any street, or land verted in it, for the purpose of temporary occupation of any street, or land verted in it, for the purpose of temporary occupation of any street, or land verted in it, for the purpose of temporary occupation of any street, or land verted in it, for the purpose of temporary occuration.

hames of streets and numbers of buildings Pun.

to time, cause such names and numbers to be altered
(3) Whoever destroys, pulls down or defices any such name or number
or puts up any name or number differing from that put up by order of the
cantonment authority, shall be punishable with fine which may extend to

Bools and external wells t of to be made of inflammable materials twenty rupces
91 The cantonment authority may by public notice, direct that within [67 Fa;
certain limits, to be fixed by the notice the coofs and external walls of hots little 1911
or other buildings shall not, without its perpuission in writing, be made or 38-3
construction of the coordinate of th

Notice of usw build ngs as at may think fit
92. (1) Whoever, except in such a case e
NI, intends to exect or recreet any building
the manner heremafter precribed of his
suthority, and the cantonment authority may
recept of the notice referse to sanction the building, or may sanction it

may consist,

 (d) the provision and position of drains, latrines, urinals, cesspools or other receptacles for fifth,

(e) the level and width of the foundation, the level of the lowest floor and the stability of the structure,

(f) the line of frontage with neighbouring buildings, if the building abuts on a street, and

(g) the means to be provided for egress from the building in case of fire, and the person execting or re execting the building shall obey all such written directions.

Provided that the cantonment authority shall make full compensation to the owner for any damage which he may sustain in consequence of its prohibition of the re-erection of any building, or of its requiring any land belonging

use the building

(1) Where any building is begun or exerted without the giving of the stice and the submission of the stans and specification required by this sec

(Chapter	1 II -Control	over	Streets,	Buildes g+,	Lands,	Trees,	etc -
		Ŋ	tctions 9.	3 95 J			

ent ent me.

(4) Where the cantonment authority neglects or omits for six weeks after the receipt of a valid notice under this section to make and deliver to the person who has given the notice, any order in respect thereof, it shall be deemed to have sanctioned the propoved building shouldely

(5) Every sanction for the erection or re-erection of a building given or deemed to have been given by the cantonment authority as aforesaid shall be available for one year from the date on which the notice became valid and

Provided that no sanction under section 92 shall act as a bar to any proceedings under sections 77 to 87

Lxplanation —In this section the expression serect or secrect any building includes—

building not

ibitation of a

greater number of such places

tation into a

(J) the sudition of any rooms, buildings, out houses of a restructures to any building

Projections an obstructions.

(2) The cantenment authority may, by notice in writing require the owner or occupier of any building to alter or remove any such projection or encroach ment as aforesaid

Provided that, in the case of any projection or encroachment lawfully in existence at the commencement of this Code, the cantonment authority that make reasonable compensation for any damage canced by the removal or alteration.

Act 1, 6

as The cantonment authority may, by notice an writing require any Countries

95 The cantonment authority may, by notice as writing require any Unsathorizat person who has, without its persons in writing, newly erected or re-creeked buildings as any building over any public sever, drain, cutert, valer corres or water pipe, dains sice to pull down or otherwise deal with the same as it may think fit.

(Chapter VIII -Control over Sarans, Lacomping grounds, Traffic, etc - Sections 109 114)

- (b) to maintain a sufficient supply of pure water for the use of persons frequenting the sarai,
- (c) to keep all parts of the saras in a clean and sanitary condition, and
- (d) to give any information which the Cantonment Magistrate may, by notice in writing, require regarding—
  - (1) the boundaries of the sarat, and
  - (11) any matters affecting its management and condition
- (2) Whoever fauls to give the Cantonment Magistrate any information required under this section or wilfully given him false information, shall be punishable with fine which may extend to twenty rupees, and, in the case of a continuing faulser, with an additional fine not exceeding five rupees for every day after the first in regard to which he is convicted of having peristed in the failure.

l ower to require report as to persons using sarai

- 109 (I) The Cantonment Magistrate may, by notice in writing, require
- (2) Where a written report is required, the form in which the same is to be furnished may be specified in the notice
  - (3) Whoever fails to comply with any notice issued under this section or

Power to class

. .

(2) A notice issued under sub action (I) shall be cancelled and cease to have effect, if the keeper of the sara satisfies the cantonment authority that no such breach as aforeand would be likely to occur in the event of the same being reopened to the use of the public.

Baving of Saráis Act, 1867 111. The provisions of sections 103, 109 and 110 shall not apply to any cantonment to which the Sarkis Act, 1867, for the time being extends

#### Encamping grounds, etc.

Encamping grounds and pitching of lents

- 112. (I) No place in the cantonment shall be used as an encamping ground or for the pitching of tents without the permission in writing of the canton ment authority
- (2) Such permission as aforesaid may be granted subject to any conditions which the cantenment authority may think fit to impose with respect to sanitary arrangements and other matters affecting the public health, eafety or convenience.

### Markets and Slaughter houses

Sale in markets of articles and for human consumption liours suring which markets may be kept

open.

- 113. No person shall in any market sell, or expose for sale, any article of food or drink for boman consumption which is unfit therefor

  114. (1) The cantonment authority may, by public notice, hmit the hours during which any market may be kept open for public use
  - (2) A cupy of every notice issued under sub section (1) shall be conspic uously posted in each market to which the notice relates

(Chapter VIII -Control over Sardis, Encamping grounds, Traffic, etc -Sec tiona 115-120 )

115. The Sanitary Officer and the Cantonment Magistrate shall frequently Sanitary Officer and Cantonment inspect-(a) articles of food and dript for human consumption kept for sale in

Magistrats to inspect markets

- markets. (b) the water supply of markets.
- (c) the arrangements for the removal and disposal of offensive matter and rubbish from markets, and
- (d) all other arrangements for maintaining markets in a proper sanitary condition

116. The cantonment authority may, by public notice, prohibit the sale, or Power to proexposure for sale, of any animal or article, or class of animals or articles, in hibit or restrict any public market

sales in public markets

- 117. Where the owner or the person in charge of a private market applies because of afor a license therefor, such license shall be grented on payment of the private markets [rescribed fee, if any, by the Cantonment Magistrate on his being satisfied.
  - (a) that convenient passages have been provided between the shops, stalls, sheds or standings in the market,

(b) that a sufficient supply of pure water is provided for the market,

- (c) that, in the case of a large market, one or more public latrines, at a distance of not less than fifty yards from the market, and one or more public urinals according to requirements, are provided for the use of persons frequenting the market, and
- (d) that suitable arrangements are made for-
  - (i) keeping the market in a clean and sanitary condition and removing offensive matter and rubbish therefrom,
  - (11) the proper ventilation of the buildings and structures in the market, and
  - (iii) the proper maintenance of the public latrines and urinals (if any) provided for the use of persons frequenting the market

118. No private market shall, after the commencement of this Code, ba New private markets to be interested to public use until it has been licensed urened to public use until it has been licensed 119 (1

(a) by

ران رددندً

- (b) by public notice, the owners or the persons in charge of any glass of such markets, to furnish, within a time to be specified in the notice, any information which may be needed for the purpose of determining whether a license should be re-
- quired for any such market (2) On the expiration of such time as aforesaid the cantonment authority shall determine, in respect of each market to which the notice relates, whether
- or not it is necessary to require a license (5) Where the cantonment authority determines that a license shall be
- required for any such market and a license therefor either is not applied for or is refused, the cantonment authority may, by notice in writing, require the owner or the person in charge of the market to close the same until a license has been obtained

120. The owner or the person in charge of a licensed market shall be Dutes of owners bound-(a) to maintain convenient passages between the sliops, stalls, sheds or martins.

or persons in charge of

standings in the market, (b) to maintain a sufficient supply of pure water for the market.

- (Chapter VIII -Control over Saráns, Encamping grounds, Traffic, etc -Sections 121 125 )
  - (c) to keep the market in a cleanly and canntary condition and to remove all offensive matter and rubbish therefrom, and
    - (d) to maintain in good order any public latrines or urinals which may have been provided for the use of persons frequenting the market

Power to sus pend or with draw licenses for markets

- 121 (1) Where the owner or the person in charge of a licensed market "), the canton v be inflicted period to be
- (2) No market for which a license has been granted under this Chapter, shall be kept open for public use while the license therefor is suspended or after the same has been withdrawn

(3) A copy of every order made under sub section (1) shall be conspicuously posted in the market to which the order relates Register of private markets

- 122 The Cantonment Magistrate shall maintain a register of all private markets which have been licensed under this Chapter, showing-
  - (a) the date on which the license was issued, and,
  - (b) where the hoense has been suspended, the date and period of the sus pension, or. (c) where the licen's has been withdrawn, the date of the withdrawal

beiling in private market when license mapended or withdrawn

123 Whoever the time heing s therein any meat food for human term which may

Restrictions on slaughtering li enun

124 (1) Subject to the provisions of subsection (2) no person shall without or otherwise than in conformity with the terms of a license granted by the Cantonment Magistrate in this behalf, use any place as a slaughter house or for the slaughtering of any cattle, sheep, goats or pigs intended for human food

(2) Nothing in sub section (1) shall be deemed-

(1)

rupees

- (11) to prevent the Cantonment Magistrate, acting with the sanction of the contonment authority, from setting upart places for the sacrifice of suimals in accordance with religious custom and for the sale of flesh thereof, or
- (iii) to limit or otherwise affect the right to sliughter, in or upon private premises, a kid intended solely for doniestic consumption
- (5) No fee shall be chargeable upon any license granted under this section 125 (1) Whoever-

Constitles for contravening section 124

- (a) uses any place in contravention of section 124 or
- (b) omits to give any notice required by any order made in pursuance of sub section ("), clause (1), of the said section,
- shall be punishable with fine which may extend to fifty rupces, and

- L 11 under . . . . . (\*) Whoever, after having " sub section (1), clause (1) of sion of section 124, shall be DFOVI daring which he continues so to offer nty five rupees

#### The Contonnent Code, 1919

(Chapter 1111 -Control over Sardie, Encamping grounds, Trafic, etc -Sec 110as 125 129 V 126. Where the cantonment authority has made or approved of any arrange. Management of

ments for-(a) passing and marking animals in a slaughter house as being suitable

- for slanghter, or (1) regulating the admission into a slaughter house of persons carrying an business or trade or working for gain therein or regulating the ron
- duct of such persons therein, the owner or the person in charge of the slaughter house shall not slaughter, or permit to be slaughtered any animal therein unless those arrangements are duly observed

kert oren.

127, (1) The cantonment authority may, by public notice, limit the hours Hours storing during which any slaughter bouse may be kept open for use and the slaughter which satisfies of animals may be permitted therein

(\*) A ropy of every notice issued under sub-section (1) shall be conspicuously posted in each slaughter bouse to which the notice relates

\*\*\* \*\*\*\*\*\* \* \* ... - - \*\*\*. . . . .

(\*) A copy of every notice respect under sub-section (I) shall be conspicuous by posted in the slamm'er house to which the notice relates

123. Where the namer or the person in charge of a private slanghter bouse Lieman of applies for the License therefor such heense shall be granted on payment of private the prescribed fee, if any, by the Cantonment Mag strate on his being satis

- (a) that convenient passages have been provided between any pens, standings or yards in the slaughter bonse
- (b) that a sufficient supply of pure water has been provided for the slaughter bouse,
- (c) that sufficient drains have been provided
- (d) that the premises are so enclosed as to prevent the interior being visible by passers by and
- (e) that suitable arrangements have been made for-
  - (1) keeping the slanghter house in a clean and samtary condition and removing offensive matter and rubbish therefrom ,
  - (ii) the proper ventilation of the buildings and structures in the slaughter house
  - (iii) the proper maintenance of the drains and of any public latrines and armals that may be required for the one of persons frequenting the slangbter house,
    - (1v) the treatment of animals in the slaughter house.
  - (v) the slaughter of animals in a humane manner within an en closure so constructed that animals placed therein shall be out of sight of animals kept outside.
  - (vi) the removal of animals to such enclosure as aforesaid.
  - (vii) the disposal or destruction of animals which are offered for slaughter and are from disease or any other cause unfit for buman consumption, and
  - (vin) the destruction of carcasses which from disease or any other cause are found after slaughter to be unfit for human consumption

Provided that no liceuse shall be granted for a slaughter house opened after the commencement of this Code, if the slaughter house is situate at any New private

houses to be ticensed

slaughter

Duties of

OWDERS OF

persons in eburge of

laughter

houses

### The Cantonment Code, 1912

(Chopter VIII -Control over Sarais, Encamping grounds, Traffic, etc -Sections 150 15. )

place which the cantonment authority thinks, especially with regard to any neighbouring drains or water courses, to he chiectionable

130 No private slaughter house shall, after the commencement of this Code, be opened to public use until it has been licensed

Power to require 131. (1) The cantonment authority may, by notice in writing, require the existing private owner or the person in slanehter bonses to be the commencement of th | icensed he specified in the nnt

purpose of determining (2) On the expiration of such time as aforesaid the cantonment authority shall determine whether or not it is necessary to require a license

(5) Where the cantonment authority determines that a license shall be ther is not applied in writing remire to close the same

132 The owner or the person in charge of a licensed slaughter house shall be bound-

- (a) to maintain convenient passages between any pens, standings of yards in the slaughter house,
- (b) to maintain e sufficient supply of pure water for the slaughter house,
- (c) to keep the slaughter house in a cleanly and sanitary condition, to provide and maintain receptacles. for refuse, and to remove ell offensive matter and rubhish from the slaughter house,
- (d) to maintain in good inder the drains of the slaughter house and eny public latrines in urinals which may have been provided for the use of persons frequenting it
- (e) to maintain suitable arrangements for the purposes mentioned in sec tion 129 clause (e) sub clauses (iv) to (vin), and
- (/) to present the keeping of animals at the slaughter house for more than twenty four hours

1 1 -14 -

Power to suspend ne Reeuses for slaughter I quece.

Register of

private slaughter

hou es.

period to be specified in the order, or withdraw the neckie

(2) No slaughter house for which a license has been granted under this Chapter, shall be kept open to public use, and no animal shall be slaughtered therein, while the license therefor is suspended or after the same has been withdrawn

(5) A copy of every order made under sub-section (1) shall be conspic posted in the slaughter house to which the order relates

134 The Cantonment Magastrate shall maintain a register of all private slaughter houses which have been licensed under this Chapter, showing-

- (a) the date on which the bornee was granted, and,
- (!) where the beense has been suspended, the date and period of the auspension . or,
- (c) where the license has been withdrawn, the date of the withdrawal

. ..... 2 6 Starshlering In ghter house is for ... elanghter bouses . whom license hters any animal hich may extend surrended or . . . . .

#### The Cantonment Code, 1912.

(Chapter VIII .- Control over Saráis, Encamping grounds, Traffic, etc -Sections 136-115 )

136. (1) The cantonment authority may-

(a) charge, for the occupation or use of any stall, shop, standing, shed or self-free pen in a public market or shaughter house, and for the right to public market expose goods for sale in a public market and for weighing and house measuring goods sold therein, and for the right to slaughter animals in any public slaughter house, such stallages, rents and fees as shall from time to time be fixed by it, in this behalf, or

Lovy of stalls gee, rente

(b) farm the stallages, rents and fees leviable as aforesaid, or any portion thereof, for eny period not exceeding one year at a time

(s) A copy of the table of stallages, rents and fees (if any) leviable in

writing of the canton import of cettle sheep, goats or swine and firsh, uch animal slaughtered

(2) Any animal or flesh brought into the cantonment in contraventien of sub-section (I), may be seized by the Cantonment Magistrate or by any servant of the cantonment authority and seld or otherwise disposed of as the cantonment authority may direct, the sale proceeds being credited to the cantonment fund

(5) Whoever commits a breach of the previsions of this section shall be numshable with fine which may extend to fifty rupees

Explanation - Nothing in this section shall be deemed to emply to cured er preserved meat

#### Traffic.

138. The cantonment authority shall not permanently close eny street Closur and 138. The cantonment authority states of the Officer Command opening of open any new street without the previous sanction of the Officer Command opening of opening of the Officer Command opening opening opening opening of the Officer Command opening o ing the Division

> Rale of the toad.

#### direction

111

140. No animal shall be ridden or driven, and no vehicle shall be driven, Eash riding or on any street in a rash or negligent manner

141. No animal shall be ridden or driven, and no vehicle shall be driven, Riding or on any street at a time or in a manner prohibited by public notice issued by driving at time

the Cantonment Magistrate or by the District Superintendent of Police. or in mounes problitted. 142. No vehicle shall he driven, led or kept standing on any street between Use of lemma nightfall and dawn without a suitable lamp, placed on the right side thereof, on vahicles. unless there is sufficient moonlight to render a lamp unnecessary

144. No vehicle or animal shall be left on a etreet without proper control

145. No animal shall be trained, broken in or led for exercise on any training street at a time or place prohibited by public notice issued by the contonment breaking in or authority.

in we by balioer. Lesving vehicle OF BRID without prop

exercis.as arimal

(Chapter VIII -Control over Sarus, Lacamping grounds, Traffic, etc --Sections 116 155 \

Obstructing street

146 No person shall-

- (a) cause any vehicle, with or without an animal harnessed thereto, to remain or stand so as to cause obstruction in any street longer than may be necessary for loading or unloading or for taking up or setting down passengers, or
- (b) leave or fasten any vehicle or animal so se to cause obstruction in any street, or
- (c) expose any article for sale, whether upon a stall or booth or in any other manuer, so as to cause obstruction in any street, or
- (d) in any other manner wilfully obstruct or cause obstruction to the free passage of any street

### Burial and Burning Grounds

Pewer to call for Information and burning grounds

147. The cantonment authority may, by notice in writing require the rera ding budal owner or keeper of any burial or burning ground to supply such information as may be specified in the notice concerning the condition management or position of such ground

Permission required for use of new burial er

148 (1) No place not previously used as a burial or burning ground shall, after the commencement of this Code, be so used without the permission in barning grour | writing of the cantonment authority

inted subject to any conditions to impose for the purpose of alth of, persons living in the

Power to re quire closing of burial or bur

149 (1) Where the candonnest authority is of opinion, after mixing or causing to be made local anguity, that any burnil or burning ground has be come offenave to or dangerous to the health of persons living in the neigh bourhood, it may, with the previous sanction of the Local Government, by notice in writing, require the owner or keeper of such ground to close the same from a date to be specified in the notice

(5) Where the I ocal Government sanctions the 1-sue of any such notice as aforesaid, it shall require a new burial or burning ground to he provided at the expense of the cantonment fund or, if the community concerned is willing to provide a new burial or burning ground a grant to be made from the cantonment fund towards the cost of the same 150 No corpes shall be bursed or burnt in any burnal or burning ground

Prohibition of nse of burial or baroing eround closed under see-

in respect of which a notice issued under section 149, sub-section (1), is for the time heing in force

llon 167 Distance between graves

151. No grave shall be made in any burral ground at a less distance than three feet from the margin of the nearest grave

Depth of graves.

- 152 No corpse shall without the permission in writing of the canton ment authority, be buried in any burial ground in a grave of less depth than-

  - (a) four feet, where the grave is made of muronry, or (b) six feet, where the grave is not made of masonry

Corpace to he bushed or burnt within six hours Corpore to be re duced to asben.

153 Every corpse brought to a burnal or burning ground shall be buried or burnt as the case may be, within aix hours after it has been so brought 154 Fvery corpse brought to a burning ground al all Le completely reduced to ashes

Power in re-spect of impro-perly d sposel of COLLEGE

155 Where a curpse has been buried hurnt or otherwise disposed of in contravention of any of the provisions of sections 148, 150 151 152 153 and 154, the contoument authority may if it thinks fit, take such order therewith,

(Chapter VIII - Control over Saráis, Encamping grounds, Traffic, etc - Section 156 Chapter IX - Water supply - Sections 157 161)

or with the remains thereof, as shall ensure the proper disposal of the same in accordance with this Code

166. The provisions of sections 147 to 155 shall not apply to any burial ground which is for the time being managed nuder sules published in the product steeple safem open the public Works Department Code

tion of sections

## CHAPTER IX

#### WATER SUPPLY

167. All sources of public water supply (except such as are used for the Controt of 167. All sources of punits waver supply (except such as no later to control of the cantonment purposes of weter works and are for the time being under the control of the cantonment Public or Military Works Department) shall be under the control of the can tonment authority

water-supply

168. (1) Where there are no waterworks the cantonment authority suam Duty of current tike all necessary measures for maintaining a supply of pure water for guard men subscripting from pollution water which is used for human consumption, and for pumping i per water to water the

- (a) the drink of human beings or admixture with any article of human consumption .
- (b) the drink of mileh animals, or admixture with any article of food or drink for milch animals.
- (c) the washing of vegetables or of cooking utensils,

access to, or using, such water

- (d) any other purpose which is likely to cause its introduction into any article of human consumption
- (2) A copy of every notice assued under cub section (1) shall be constituted ously posted near the source of water supply to which the notice relates

150 The cantonment authority may by notice in writing require the present onesies owner, or any serion having control of any source of public water supply are or crisists which is used for drinking purposes,—

(a) to keep the same in good order, and to clear at from time to time public statics.

water-supply

of silt, refu-e or decaying vegetation, or, (b) if the water therein is proved to the satisfaction of the cantonment authority to be unit for drimking purposes, to take such measures as may be specified in the notice to prevent the public from having

- Polluting source 161 (1) Whoever-(a) bathes in any source of public water supply which is used for drink ing water-soping purposes, or
  - (b) Washes, throws or causes or permits to enter, therein any dog or other animal, or
  - (c) washes or cleanses therein any clotles, wool cloth leather, skin nten-il or other thing, or

#### (Chapter IX - Water supply -Sections 162 169)

- (d) throws or allows to flow thereinto any offensive matter or rubbish,
- (e) causes or allows the water of any sink, drain, steam engioe or holler, or any other filthy or polluted water helonging to him or under bis control, to flow thereinto, or
- (f) does any other act whereby the water thereof is polloted or is likely to be polluted,
- shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees
- (2) For the purposes of this section the cantonment authority may, by public notice, declare what sources of public water supply are used for drinking purposes
- (3) A copy of every notice assued under aub section (2) shall be conspicu ourly posted near the source of water supply to which the notice relates
- Impairing queli ty, ordinisish ing quentity of 162 The cantonment authority may, by public notice, prohibit any act specified in the notice which would, in its opinion,water in source
  - (e) impair the quality or diminish the quantity of the water in any source of public water supply which is set apart for public use and is used for drioking purposes, or (b) injure or impair the usefulness of any of the pipes, locks cocks or other fittings of water works

or impeir ng water works Trespans on water works

of public drink-

ing water copply

- 163. (1) The cantonment authority may, by public notice, prohibit tres passes upon land occupied by water works
- (2) A copy of every notice assued under sub-section (1) shall be consumen ously posted on the land to which the notice relates

104 (1) No person shall, without the permission in writing of the canton ment authority, alter, obstruct or encroach upon, any public water channel (\*) The cantonment authority may by notice in writing, require any parson who has made any such alteration, obstruction or encroachment as aforesaid

Altering obstructing or encroschi g upon public weter-clennel

or gathering

plants

- Power to prof: bit polluting of soutce of public water-supply by Bet ing boating (2) A copy of every notice assued under sub section (1) shall be coordinate ously posted near the source of water supply to which the notice relates
  - 188. No person shall throw a corpse into any source of public water supply

Throwing of corpse into source of public water-supply Power to probl-bit pollution of source of supply by carry-ing on offensire trade

167. The cantonment anthorsty may, by notice in writing, require the owner, lessec or occupier of any place in which is carried on any offensive trade or manufacture whereby the water in any source of public water supply is polluted to take steps to abate such pollution

Placing latring, etc., or deposit ing offensive 148. No person shall, without the permission in writing of the captonment authority,bish, peersource

(a) place any latrine, urinal, cesspool or drain, or

to remove, or desist from, the same

(b) use for the deposit of offensive matter or rubhish any place,

of potlis outer L'emoval of latrine etc., mear e oy source of public water ....

matter or rub-

within fifty feet of any source of public water supply 189. The cantonment authority may, by notice in writing, require any Laurer l, drain or r source of c from the . . .

(Chapter IX -Water supply -Sections 170 171 Chapter X -Trades, Callings and Occupations -Section 172)

170. Whoever-

(a) bathes, or

Bathing or weaking at public well or apring

Regulation of public bathing and washing

Licenses required for

(b) washes any animal, or any clothes, wool, cloth, leather, skin, utensil or other thing, by the side of any public well or spring so as to pollute the water thereof, shall

by the side of any public well or spring so as to pollute the water thereof, shall be punishable with imprisonment for a term which may extend to eight days, or with fine which may extend to fifty rupees

171 (1) The cantonment authority may, by public notice, prohibit-

(a) bathing, or

(b) the washing of animals or of clothes, wool, cloth leather, skins, utenuls or other things, or of any class of such things,

by the public or any class thereof nt any public place specified in the notice

(2) The cantonment anthority may, by public notice,— (a) appoint places for—

(a) all and lunca rat-

(1) bathing, or

 (ii) the washing of animals or of clothes, wool, cloth, lesther, skins, utensils or other things, or any class of such things, and

(b) fix the hours at which alone bathing or washing may be carried on at aby place so appointed

(3) In any notice issued under sub-section (1) separate places may be appointed for bathing and weshing respectively and separate places may be appointed for bathing by men and women, respectively

(4) A copy of every such notice as a forestaid shall be conspicuously posted on or near the place or places to which the notice relates

Explanation —In this section, the expression washing an animal cludes driving or throwing an animal or permitting it to go into water

#### CHAPTER X

## TRADES, CALLINGS AND OCCUPATIONS

172 No person of any of the following classes, namely -

(a) butchers, and sellers of poultry, game or firb,

(2) persons keeping pigs for profit and dealers in the flesh of pigs which tions

have been slaughtered in India,

(c) persons keeping milch cattle or milch goats for profit,

(d) persons keeping for profit any animals other than pigs, milch cattle or milch goats;

(e) dairymen and brittermen and makers or sellers of ghi;

(f) makers of bread, biscuits or cake, and selfers of bread, biscuits or cake made in India,

(g) sellers of fruit or vegetables.

(h) mannfacturers of sersted or other potable waters, or are, and sellers of the same,

(7) sellers of any medicines drogs or articles of food or drink for human consumption (other than the firsh of pigs, milk butter, bread, biscents cake, fruit, vegetables, serated or other potable waters, or ice) which are of a perishable nature.

ditions which may be entered in su h

beenses

#### The Cantonment Code, 1912

### (Chapter X -Trades, Callings and Occupations -Section 173)

- (k) cellers of water to be used for drinking purposes;
- (l) washermen:
- (m) dealers in bay, straw, wood, charcoal or other inflammable material, (n) dealers in fireworks, kerosine oil, petcolenm or any other inflammable
- oil or spirit.
- (o) tanners and dyers. (p) persons carrying on any trade or occupation from which offensive or unwholesome emells arise.

  - (9) sellers of wheat, rice and other grains or flour used as human food,
  - (r) makers or sellers of augar or sweetmeats, and

(a) hawkers and pedlare,

shall carry on his trade, calling or occupation in any part of the cantonment unless he has applied for, and obtained a keense renewable annually from. the cantonment authority

Provided, first, that a license shall not be withheld if the applicant is willing to comply with such conditions as the cantonment authority may think at to impose under section 173

Prov Cantonn part of such tra cantonm obligatio him a li reason of such refusal

Provided thirdly, that in cantonments to which the Indian Petrolsum Act 1899 (VIII of 1899) extends no person shall be required to obtain a license for the sale or storage of petroleum in any case in which a lecense is required by the said Act to be taken out, sale in accordance with the provi sions of the said Act, and of the rules framed thereunder

173 A license granted to any person under section 172 shall specify the the ind to

- (a) in the case of hutchers, and reliers of poultry, game or fish .-
  - (1) the apparatus and coverings to he used in the operations of their trade,
  - (ii) the places at which, and the manner in which, meat, poultry, game or fish may be exposed for sale, and
  - (iii) the disposal of meat, positry, game or fish when found to be unlit for human consumption

(3) and (1)

place.

in) the sources from which such summals shall he watered . (iv) the segregation of any sick or diseased animals, and

### The Contenment Code, 1912.

- (Chapter X .- Trades Collings and Occupations Section 178)
  - (v) the taking of any other measures which the cantonment authority may think necessary for maintaining the premises in a clean and sanitary state
- (d) in the case of persons keeping for profit any animals other than pig-
  - (1) the places at which such animals may be kent
  - (11) the number of such animals which may be kept at any one place, and
  - (iii) the manner of keeping the animals so as to present their be coming a public nuisance or injurious to the public health
- (e) in the case of dairymen, buttermen and sellers of ghi .--
  - (1) the vessels and other apparatus to be used in the operations of their trade.
  - (ii) the places at which and the manner in which milk or butter
  - (iii) the taking of any other measures which the cantonment authority may consider necessary for keeping the pramises and all vessels and appragrams in a clean and contary states
- (f) in the case of makers of bread, biscuits, cake or sweetmeats and sellers of bread, biscuits or cake or sweetmeats made in India.
  - (i) the apparatus and the water, flour and other ingredients which may be used in the operations of their trade.
  - (ii) the places at which bread, biscuits, cake or aweetmeats may be prepared and kent for sale.
  - (111) the inspection to be exercised over the making of such articles,
  - (iv) the disposal of any auch articles which may be found to be unwholesome
- (a) in the case of sellers of fruit or vegetables.-
  - (i) the places and seasons at which fruit or regetables, or any specified kinds of fruit or regetables, may be sold, and
  - (11) the disposal of any fruit or vegetables which may be found to be unwholesome, or of which the sale has been prohibited under clause (2), sub-clause (1)
- (A) in the case of manufacturers of advated or other potable waters, or ice, and sellers of the same,-
  - (1) the sources from which water used in such manufacture shall be taken.
  - (b) the machinery, chemicals and ingredients which may be used in such manufacture:
  - (iii) the measures to be taken in order to ensure the proper filtering of the water used and the cleanliness of all apparatus and receptacles used; and
    - (iv) the attachment of labels or the adoption of other means for the purpose of identifying the factory at which each articls was made:
- (j) in the case of sellers of any medicines, drugs or articles of food or milk, other dis

(Chapter X -Trades, Callings and Occupations -Section 174)

- (A) in the case of sellers of water to be used for drinking purposes,-
  - (1) the sources fram which such water shall be taken, and
  - (ii) the taking of measures to ensure the cleanliness of mussuks or any other vessels or piensile used for carrying such water
- (1) in the case of washermen, the places at which clothes may be washed. dried or kent
- (m) in the case of dealers in hay, straw, wood, chercost or other inflam mable material .-
  - (i) the places at which such materials may be kept,
  - (11) the quantity which may be stored at any one place, and the manner of storing, and
  - (111) the precautions against fire to be taken by the dealer or the person in charge of the business .
- (n) in the case of dealers in fireworks, petroleum (in cases in which a license is required under this Code), kerosine oil or any other in
- flammable oil or spirit,-(1) the places at which, and the quantities in which, any such article may be stored or kept for sale, and
  - (ii) the taking of any measures which the cantonment authority may consider necessary for the prevention of danger to life or property
- (o) in the case of tanners and dyers, the taking of measures for regulat ing the discharge of refuse matter from their premises and for abating any nuisance urising from such premises and
- (p) in the case of persons carrying on any trade or occupation from which offensive or unwholesome smells arise, the taking of any messures which the cantonment authority may consider necessary for the scatement of any nuisance srising from the premises

Laplanation -- For the purposes of clause (a), sub clause (m), meat which has been subjected to the process of blowing, shall be presumed to be unfit for human consumption

174. The cantonment authority may, by hye laws,-

ay) is in force, shall Mad Act III

- (a) render liceness necessary for the propertors or drivers of vehicles, 188 (c) and (b).]
  boats or snimals kept or plume for him within the contemporary. hoats or snimals kept or plying for hire within the cantonment, and fix the fees payable for such licenses and the conditions on which they are to be granted and may be revoked, and
- (b) limit the rates which may be demanded for the hire of any carriage, cart, boat or other conveyance, or of animals hired to carry loads

bonra Dag 41 Fast

Provided, secondly, that in no cantonment in which a cantonment committee has been constituted shall any bye laws be made except at a meeting of which at least six clear days" notice shall have been given.

ower of can coment authorty to make ye-laws as to

Power to remove brothela and prost inten.

#### The Cantoninent Code, 1912

(Chapler X -Trades, Callings and Occupations -Sections 175 181 Chap ter XI -Prevention and Treatment of Disease -Section 182)

175. No person holding a heense under section 172 for keeping for profit Feeling solmals milth cattle or milch goats, or pigs or any other animal which may be used on atth, etc for human consumption, shall allow the same—

(a) to be fed upon refuse or any filthy or deleterious substance, or

(b) to graze in any place in which grazing has fur sanitary reasons been prohibited by public notice issued by the cantonment authority

176. No darryman holding a license under section 172 shall mix water with, Adulteration of or otherwise adulterate, any milk intended for sale

177. No hutterman holding a heense under section 172 shall adulterate Addleration of any butter intended for sale

178 No person holding a heense under section 172 shall sell any article falling food or of food or drink for human consumption which is unfit for that purpose standards.

179. (1) The cantonment authority may, by notice in writing, prohibit—
(a) the keeping of a brothel, or

(b) the residence of a public pro-titute, in the cantonment or any specified part thereof

180. No public prostitute shall be permitted to reside within the limits Exclusion of of any regimental bazar situate in the cantenment the first parties of the form ref-

181 (1) Where any person holding a license under section 172, or sec Powerto as

same

(2) No person who has obtained a hiemo under this Chapter for carrying on a trade, calling or occupation in any part of the cantomment, shall carry on such trade, calling or o cupation in that just while such license is surjected or after the same has been withdrawn.

#### CHAPTER XI

#### PARVENTION AND TAXABLENT OF DISEASE.

Infectious or Contomous Disorders

(Chapter XI -Presention and Treatment of Disease -Sections 185 186)

- (b) in default of such medical practitioner, being the owner or occupier of such dwelling and being cognizant of the existence of any infec-
- (c) in default of such owner or occupier, being the person in charge of, or in attendance on, any person suffering from any infectious or con tagious disorder in such dwelling and being cognizant of the existence of the disorder therein."

fails to give information or gives false information to the cantonment authority respecting the existence of such disorder, shall be punishable with fine which may extend to fifty rupees

Provided that a person not required by this section to give information in the first instance, but only in default of some other person, shall not be numehable if it is shown that be had reasonable cause to suppose that the in formation had been, or would be, duly given

Provided, also, that this section shall not apply to venereal disease where the person suffering therefrom is under specific and adequate medical treatment, and, by reason of habits, conditions of life and residence, is unlikely to spread the disease

Luplanation -In this section, the expression infectious or contagious dis order includes venereal disease

183. (1) In the event of the cantonment being at any time visited or [Cf. Bom Active-tened by Special measures on ontbreak of infectious or the inhabitants contagions CE S GLOD 2 disorder s mou epidemie d s. 220 smong estils

goate therein, t sions of thie C purpose, may,

- (a) take such special measures, and,
  - (b) by public notice, prescribe such temporary regulations to be observed hy the public or by any person or class of persons,
- as he thinks necessary to prevent the outbreak of the disorder or disease or
- the spread thereof (2) Whoever commits a breach of any temporary regulation prescribed under sub section (1), shall be deemed to have committed an offence punish able under section 186 of the Indian Penal Code

XLV of 1560

Power to require man e custom

184. Where it is certified to the Cantonment Alagistrate by a medical

lower to require names of washer . man customera

1 eport after dalry or was nerman's pare of business after inspection, the Sanitary Officer is of opinion that any he con-

f soiled d by a

(Chapter VI ... Presention and Treatment of Disease ... Sections 187 193)

187. Upon receipt of a report anhuntted under section 186, the Canton action on ment Magnatrate may, by notice in writing....

Action on report #nbmitted under section 186

- (a) prohibit the person in charge of the dairy from supplying milk therefrom until the notice has been withdrawn, or, as the case may he,
- (b) prohibit the washerman from washing soiled clothes or other articles in one such place or by sny such process as aforesaid until the notice has been withdrawn or unless he uses such place in such manner or washes hy such process as the Cantonment Magistrate may direct in the notice

•

The Cuter Office a ser made I off as

189, Whoever-

Contamination of publis con or researces

- (a) enters a public convolute while suffering from an infectious or expanses contagious disorder which would be likely to be communicated to other persons using the conveyance, or
- (b) uses a public conveyance for the carriage of a person who is suffering from any such disorder, or
- (c) uses a public conveyance for the carriage of the corpus of a person who has died from any such disorder.

shall be bound to notify the fact to the draver and to report to the Canton ment Magnistrate the number of the conveyance and the name of the driver

that has not already been done

414 4 44----

Provided that, where in the opinion of the Cantonment Misguirate, the owner or occupier is, from poverty or any other cause, unable effectually to carry out any such requisition, the Cantonment Misguirate may, at the expense of the cantonment fund, cleanse or durinfect the building or part, or any strides therein labely for train mafecton, or renew the said flooring

Provided that the cantement authority shall pay to the owner ruch sum as may in the circumstances appear to it to be equitable for any loss incurred by reason of the destruction of such but, shed or insterials.

[Chapter XI -Presention and Treatment of Disease -Sections 195 200 ]

Temporary
shelter while
building is being
dis nfeeted or
when infected
but is destroyed

193. The cantonment authority shall provide free of charge temporary the members of any family in which an is uppeared, who have been compelled to my proceedings taken under section 191 or or accommodation as a forestand to be pro-

Disinfection of building and articles therein before letting the building 194. Wheerer lets a building or part of a building in which any person om an in part, dis.

path, dis.

public or retain in

fection.

4-- m

Explanation .- For the purposes of this section, the keeper of a sarái shall be deemed to let part of a building to any person who is admitted as a guest into the sarai

Disposal of infected article without disparent on 195. No person shall without previous disinfection of the same, give, lend, sell, transmit or otherwise dispose of to another person any article or thing which he has reason to know has been exposed to contamination by any infectious or contagious disorder

D sporal of infections matter 196 The cantonment authority shall by public notice prescribe the manner in which infectious exercts and other matter is to be dealt with or disposed of

Alaking of selling of food atc, or washing of elothea by infected person

- 197 Wheever, while suffering from an infectious or contagious disorder —
  (a) makes or offers for sale any article of food or drink for human con
- (a) makes or offers for sale any article of food or drink for human con sumption, or any redicine or drog, or
- (b) takes any part in the business of washing or carrying soiled clothes, shall be punishable with impresonment for a term which may extend to eight days, or with fine which may extend to fifty rupers

any

bsisul 1
Power to
restrict or
probibit ands of
specified article
of food or drink
on outbreak of
infectious or
contaching
disords;

by an outbreak of any rity may, on the advi c

Disposal of 200. Where any person has died from any infectious or contagious dilocated corps: order, the Cantonment Magnetrate may, by notice in writing,—

(a) require any person having charge of the corpse-

(1) . . . . . . . . .

- (ii) to convey the same to a mortizary, thereafter to be disposed of in accordance with law, or
- (b) prohibit the removal of the corps from the place where death occurred, except for the purpose of leng bursed burst or other wise disposed of as sforeald or of being conveyed to a mortnary

# (Chapter XI -Prevention and Treatment of Disease -Sections 201 208)

Hospitals and Dispensaries

ity may-

201. (I) So fer as the funds at its disposal permit, the cantonment author Meintenance siding of cospitate and (a) provide and maintain, either within os without the cantonment, as dispensaries.

many hospitals or dispensaries as may be necessary, or

(b) make, upon such terms as it thinks fit to impose, a grant in aid to any hospital or dispensary, whether within or without the cantonment not maintained by it

(2) Every hospital or dispensary maintained or aided under sub-section (1) shall have attached to it a ward or wards for the treatment of persons suffering from infectious or contagious disorders

Explanation -In this section, the expression "infectious or contagious disorder " includes venereal disease

202. A Medical Officer, to be appointed in such manner as the Local Gov Midical Officer armment may direct, shall be in charge of every hospital or dispensary main to be a charge of the charge of th dispensery

203 Subject to the control over the cantonment fund which is vested in salvetant the Local Government by section 21 of the Cantonment Act, 1910, there shall stablishesses be appointed, for every hospital or dispensary maintained or saded under dispensary maintained or saded under dispensaries section 201, such subordinate establishment as may be necessary

204. So far as the funds at its disposal permit, the cantonment authority Medical shall cause every hospital or dispensary maintained or aided under section supplies appliances, ste 201, to be provided with-

 (a) all requisite drugs, instruments, apparatus, furniture and appliances, (b) sufficient cots, bedding and clothing for in patients, and

(c) such further requisites as may be necessary

205. Every hospital or dispensary maintained or sided under section 201 Application of rales

Provided that the subsistence allowance granted as aforesaid shall not be less than the lowest allowance for the time being fixed for the subsistence of judgment-debtors by the Local Government under action 57 of the Code of Civil Procedure, 1908

Explanation - In this section, the expression "infectious or configuous disorder includes venereal direase, gay tong I may natha a salakt

208. If the Medical Officer in charge of a hospital or dispensary main Pressival tailed or sided under section 201 has prind force prounds for believing that appa peros any person lung in the candonment is suffering form an indections or on safetial free topics disorder, be may, by notice so writing so the form set forth in contactors. Schedule III or un any number form, call prop such person to attend at the descript to hospital or dispensity at a time to be specified in the notice and not to quit it attend if and without the permission of the Medical Officer in charge, unless and until such trains is benefits or

Medical Officer is satisfied, by axamination (if necessary), that such person dispensing is not in fact suffering, or is no longer suffering, from such discoder:

(Chapter XI -Prevention and Treatment of Disease -Sections 209 212 Chapter XII -Suppression of Mendicancy and Loitering and Removal of Dis orderly Persons -Section \$13)

Provided that, if, having regard to the nature of the disorder, or the condition of the person suffering therefrom or the general environment and circumstances of such person, the Medical Officer considers the attendance of such person at the hospital or dispensary mexpedient he may dispense with such attendance and take such measures or give such directions as he may think fit and proper

Explanation -In this section, the expression 'infectious or contagious disorder includes venereal disease

209 (1) If the Medical Officer in charge of hospital or dispensary maiotaio€'

-

Power to exclude from Officer of vided by pensary, has quitte 00

British India, without the written permission of the Commanding Officer in

210 No spirituous or fermanted liquor or intoxicating drug or preparation shall be introduced into a hospital or dispensary majotained or aided under section 201 without the permission of the Medical Officer in charge

211 (1) No land in the cantonment shall be selected for use as a hospital or segregation camp without giving the Cantonment Magistrate and the Santiary Officer an opportunity of stating their op nions upon the proposed selection (2) Where say land in the cantonment is used as aforesaid, it shall be

plonghed up as soon as practicable after it has ceased to be so used

### Pilgrims

- 212 (1) The cantonment anthority may provide or prescribe suitable routes for the use of persons passing through the cuntom sect—
  - (a) on their way to or from fairs or places of pilgrimage or other places of public resort, or
  - (b) during times when an infectious or contagious disorder is prevalent,
- and may, hy public notice, require such persons as aforesaid to uso such routes and no others

(2) All routes provided or prescribed under sob section (1) shall be clearly and sufficiently indicated by the cantonment authority

#### CHAPTER YII

SUPPRESSION OF MENDICANCE AND LOTTERING AND REMOVAL OF DISORDERLY PERSONS.

### Mendicancy

213 No mendicant shall, in any street or public place in the cantooment loiter or beg for als 5

cantonment Der one refus g to attend at or rema p in hospital or dispensary

Introducing ligger or drug or dispensary Temparery hospitals and segrees on camps in cantoaments

Rontes for p igrims and others

Mendicance

(Chapter XII -Suppression of Mendicancy and Lostering and Removal of Disorderly Persons -Sections 214 216)

#### Lottering and Importuning

importaning for examination in more interest in the control of the

#### Removal of Desorderly Persons

215. (1) The Cantonment Magistrate may, on receiving information that Exmeral and any person, whether revident in or frequenting the cantonment,—

(a) as a disorderly person who has been convicted more than once of disorderly gambling, or who keeps or frequents a common gaming house, a strong the disorderly ditinking abop, or a disorderly house of any other dracription, or

(\*) Every summons issued under sub section (1) shall be accompanied by a copy of such order as aforesaid and the copy shall be delivered by the officer serving the aummons to the persons served with the same

(5) The Cantonment Magistrate shall when the person so aummoned

216 (1) The Commanding Officer of the cantonment, if he thinks it ex General power

Provided that no such order as afore-aid shall be made-

(a) where the only reason for making it is that the person-

(i) is disorderly, or

- (Chapter XII The Suppression of Mendicancy and Lostering and Removal of Disorderly Persons - Section 217 Chapter XIII -Care of Animals -Sections 218 221 )
  - (11) has been convicted of an offence punishable under Chapter XVII of the Indian Penal Code er section 156 of the Army XLV of 1860 41 & 45 Viet Act, er c 58.
  - (iii) has been ordered under Chapter VIII of the Cede of Criminal Procedure, 1898, to execute a bond for his good behaviour, Vol 1599
  - (b) unless the Commanding Officer of the cantenment tlunks that the presence of the person in the cantonment is dangerous to good order er military discipline

n Si L

(3) Where an order is made under sub-section (1) without the previous - ef the canton "hyssion or the together with

Harbouring or

Cruelly to

animals,

217 Whoever, knewing that any person has, under sections 209 215 ir son in the which may

### CRAPTER XIII

#### CARE OF ANIMALS

### Precention of Cruelty

218 Whoever ill uses, tertures or cruelly beats any animal in the canton ment shall be punishable with imprisenment for a term which may extend to eight days, or with fine which may extend to fifty rupees

219 (1) Unless the Officer Commanding the Division concurs with the Extension of cantonment authority in thinking that there is some special reason to the con the Prevention trary, the cantonment authority shall apply to the Local Government to extend the Presention of Cruelty to Animala Act 1890, to the cantonment of Cruelty to mimale Acl, canlonments.

X1 of 1830 ıty

plac said Cattle trespass Act, 18/1 1 of 1871

(5) Where the Prevention of Cruelty to Animals Act, 1890, has been ex x1 of 1890. tended to any cantonment, the provisions of section 218 of this Code shall cease to have effect therein

#### Grazing

220 Every ewner, or the person in charge, of an animal grazing on any land belonging to the Government In the cantonment shall be bound to keep it under proper care and control

221 (1) Where any animal is found grazing on land belonging to the Covernment in the cantonment without being under proper care or control, it may be seized by any servant of the cantonment authority and sent within twenty four hours to the nearest pound established under section 4 of the Cattle trespass Act, 1871

f of 1871.

ruzing to be BEADEF CAIS andles grantos etthout belos ender proper

- (Chapter XIII -Care of Animals -Section 222 Chapter XII -Prevention of Fire -Sections 223 225 Chapter XV -Registration of Births and Deaths -Section 226 )
- (2) Every animal so sent to the pound shall be dealt with as if it had been impounded under the provisions of the said Act, and the provisions of the said Act shall apply thereto
- (5) Every member of the police force employed in the cantonment shall when required, aid in preventing resistance to any such seizure as aforesaid and rescues from persons making such seizures
- 222. (1) Whoever takes delivery of any animal impounded from the pound Person taking keeper (if any) appointed under section 6 of the Cattle trespass Act, 1871, delivery of shall inform the pound keeper of the name of the owner of the animal and the animal from name of the person who had charge of the same at the time of its seizure

(2) Wheever refuses to give the pound keeper the information required and person by this rule, or wilfully gives him false information, shall be punishal le with of the admit fine which may extend to fifty rupees

pound to state names of owner at time of Beitnbe

#### CHAPTER XIV

#### PREVENTION OF TIME

777

- - Lun Stacking or collecting inflammable materials or buildlag matted atractares la
- (a) stack or collect dry grass, straw or any other highly inflammable rectament material, or

. . . .

(b) build a matted structure or a cooling place

\* \*\* \*\*

(2) The cantonment authority may, by notice in writing require any person who has stacked or collected any grass, staw or other highly inflam mable material, or has built a matted structure or in cooking place, in contravention of the provisions of sub section (1), to remove such stack, collection or structure as aforesaid within a time to be specified in the notire ,,-

225. No person shall set a naked light on or near any building in any setting naked 225. No person shall set a mart higher on the manner as to cause danger of light oner street or public place in the cantonment in such manner as to cause danger of light oner better. fire .

Provided that this prohibition shall not extend to the use of lights, with the permission in writing of the cantonment authority, for purposes of illn mination on the occasion of a festival or public or private entertainment.

#### CHAPTER XV.

#### RECISTRATION OF BIRTHS AND DEATHS

228. (1) The Cantonment Magistrate shall maintain registers, in such Segisters of 228. [1] The Cantonment orapparate annual manual tracks and deaths britis as forms as may be prescribed by the Local Government, of all hirths and deaths britis as forms as may be prescribed by the Local Government, of all hirths and deaths britis as

(f) No charge shall be made for the registration of any birth or death under this Chapter.

(Chapter \(\chiV\) -Registration of Births and Deaths -Sections 227 250 Chapter \(\times VI\) -Appointment of Agents by Absentee Owners -Sections 231-232 )

Duty of head of house or family to repobirth therein

- 227. The head for the time being of every house or family in which any birth occurs, shall, within eight days after the event, report the same to the Cantonment Magistrate, together with the following particulars, namely:
  - (a) the date of the birth, and the sex and name (if any), of the child,
  - (b) the name, place of residence and occupation, and the caste or religion (if any), of the father, if the person making the report is willing to furnish these particulars, and

Duty of head of house or family to report d-ath therein

- (c) the name and place of residence of the person making the report 228 The head for the time being of every house or family in which any death occurs, shall, within twenty four hours after the event, report the same to the Cantonnent Magistrate, together with the following particulars;
  - mely —

    (a) the date of the death the sex, name, age and occupation, and the casts or religion (if any) of the deceased, the cause of death, and the place of residence of the deceased at the time of death,
    - or religion (it any) of the deceased, the cause of death, and the place of residence of the deceased at the time of death, (b) the name of the father, or if the deceased was a married woman the name of her busband, if the person making the report is willing to furnish these particulars, and
    - to furnish these particulars, and (c) the name and place of residence of the person making the report

Duty of Medical Officers to report births and deaths

Papalty

(c) the name and place of residence of the person making the report 228 It shall be the duty of every Medical Officer of the Covermment to report to the Cantonment Magnirate, as soon as practicable after the event, every brith and death occurring in the cantonment of which he may become commisent in the services of his profession.

230 Wheever fails to comply with the provisions of aection 227 or aection 228, shall be possishable with fine which may extend to five rupees

CHAPTER AVE

#### APPOINTMENT OF AGENTS BY ASSENTEE OWNERS

Duly of absentes

231 (I) Wheeler being the owner of any building or lind in the canton
t some person residing in or near the
the purposes of the Cantonments Act,

euch appointment to the Cantonment xy of 1910,

Relief to ageurs

- (2) The hurden of proof of the facts entitling an agent or trustee to rehef under aub section (1) shall he on him
- (3) Where any agent or trustee has claimed and established his right to

### The Contoursent Code, 1919

(Chapter XVII.-Inspection, Entry, Search and Arrest - Sections 255 255 )

#### CHAPTER XVII

### INSPECTION, ENTRY, STARCH AND ARREST

### Inspection, Entry and Search

233. The Officer Commanding the Division, the Officer Commanding the Entry and Brigade or the District Magistrate may enter into or on, and inspect, any inspection by building or land, if it appears to him to be necessary to do so in order to the Officer of the Off exercise of any power conferred upon him by this Code

the Larie on, Comta offing the B Lade or the ld inct Megiarate

234. The cantonment authority, by sixelf or by any person generally or Entry and specially authorized by it in this behalf, may—

Inspection by, or by the anthority of the rapropropat rathonin

- (a) enter into, or on, any building or land for the purpose of-
  - (1) removing any buildings or materials, or altering any building. in pursuance of a notice issued by the contonment anthonix in accordance with the conditions of a lease executed nuder section 264, or
  - (ii) resuming any land in pursuance of a notice instead by the Local Government in accordance with the conditions of a lease executed as aforeeard, or
    - (iii) Performing any act authorized by any of the provisions es sections 96, 97 and 290, onb section (1) or
  - (1v) making any inspection authorized by the provisions of section 83, and section (1), or
- (b) enter into and inspect any place which is or may recently have been, used as a burial or burning ground if it appears to the cantonment authority to be desirable to do so in order to the carrying out of any of the provisions of this Code, or
- (c) enter into, or on and in-pect any building or land in on or with respect to, which the cantonment authority has resson to believe-
  - (i) that a breach of any of the provisions of this Code has been committed, or
  - (ii) that any notice issued under this Code has not been daly complied with, or
  - (us) that any conditions imposed under this Code have not been duly observed, or
  - (1v) that any notice should be issued under this Coda, or
  - (v) that any conditions should be imposed under the provisions of section 112, and section (\*), section 143, aub section (2), or section 173
- 238. The Samitary Officer, by himself or by any Medical Officer of the Entry Government specially deputed by him by an order in writing in this behalf, inserting, may-(a) enter into or on any building or fand for the purpose of inspecting sather 1 d.
  - any receptacles or places provided under section 75 for tha tem offer porsey deposit of offen was matter and rubbush, or (b) enter into, and inspect, any dairy, or any place at which a washerman washes or keeps clothes or other articles in the course of his bus-hess, if it appears to the Similary Officer to be necessary to do so in order to the prevention of the spread of any infections or configure
  - disorder, or (c) enter into or on and inspect any building or land in or on which the Senitary Officer has reason to believe that there is or has recently

- (Chopter XVII —Inspection, Entry, Search and Arrest —Section 236) been, any person suffering, or the corpse of any person who has died, from any infectious or contagious disorder, and search for infected persons, corpses or articles therein or thereon. or
- (d) enter into on on any h 12 or or land any -t 11 C 1 0 or
- (e) enter into or on, and inspect, any building or land in, on or with re apect to which the Sanitary Officer has reason to believe—
  - (1) that any such nuisance as is described in section 67, clause (d), clause (e), clause (o) or clause (p), has been committed, or
  - (ii) that a breach of any of the provisions of sections 108, 126, 132, 150 to 154, 161, 175 to 178 and 197 has been committed or
  - (iii) that any notice issued under section 191, section 196 or section 198 has not been duly compiled with, or
  - (iv) that any conditions imposed onder section 148, sub section (2), or section 173, and affecting canitation or bygiene, have
  - (v) that the cantonment authority should be moved to issue a notice under sectione 77, 81, 82, 84 85 86 102, 104, 105 159 160 162, 165, 167, 169 192 or 199, or to take any action
- (f) enter into and inspect any private aloughter house, or any structure therein for the purpose of assisting the Cantonment Magistrate in determining whether a treame about do issued under action 129, or

under section 85, snb section (1), or

- (g) enter on and inspect any land which it is proposed to use as a burial or burning ground, for the purpose of ascertaining whather any such permission as is referred to in section 140, sub-section (I) should be given, or
- (4) en
- (i) ent = 4 m and nums 4 am 2 line as land a secon 1 hela

124, and search for such animal or flesh, or

- (1) enter into or on and inspect, any building or land, for the purpose of-
  - accertaining whether the Officer Commanding the Division abould be moved to take any action under section 183, subsection 17), or
  - (ii) advising the cantoniment authority whether any, and if so, what, directions should be issued under section (2), sub-section (1), clause (5), clause (6) or clause (d), or
- (4) enter into or on and inspect, any huilding or land with respect to which the Similary Officer has reason to believe that the cantonment authority should be moved to sense a notice under section 79 section 25, section 26 or section 39
- 236 The Cuntonment Magistrate, by himself or by eny person generally or specially authorized by him in this behalf, may-
- anthonis (a) enter into or on, and inspect, any hulding or land for the purpose of-
  - (i) inquiring into occupation, ownership agency, rights or any other matter required to be entered in any of the registers maintained under sections 271, 272 and 273, or

Fatry

(Chapter XVII -Inspection, Entry, Search and Arrest -Sections 237 24")

- (11) performing the duties imposed on the Cantonment Magistrate by section 17, sub section (2), section 69, section 72 or sec tion 78, clause (b), sub clause (1), nr
- (iii) determining whether a licensu should be resued under section 117 or section 129, mr
- (iv) escertaining whether a notice should be issued under section 187 or section 191, or
  - (v) cleansing or disinfecting a building or any articles therein, or renewing flooring in oprepance of the provinc to section 191.
- ..
- (c) enter nin and mineri and he lid manch h a f. war. I ٠
- (d) enter into or on and inspect any building or lind in or on which the Cantonment Magistrate has reason to believe that there is any animal or flish which has been brought into the cantonment in contravention of section 137 and search for such suimal or flesh, or
- (e) enter any hulding in order to enforce its enriender in pursuance of the conditions of a lease executed under section 264

237. The Cantenment Megataste or the Santary Officer may enter into Entry tote and any market or any structure therein and inspect the aame or my article structure therein and inspect the aame or my article structure therein in the performance of the duty imposed upon him by section 115

235. Where the cantonment authority has under section 60 son section Entry by public (1), provided for the performance by its agents of the duties usually per establishments .. ..

. . .

238 (1) Every enter made under any of the foregoing sections 233 to 237 Time a's ter shall be made between sunrise and somet

Provided that if in any such case the authority empowered by eny of the interests . . . . . . per time ... . . . . . . .

· author . . . . . . .. . . . . . . . . . (2) Any entry made under section 239 may be made at any reasonable

240 When any boilding used as a buman dwelling is entered under this President in Charter doe regard shall be paid to the accord and religious sentiments of the served in

the occupiers and no apartment in the actual occupancy of a woman shall during he entered under this Chapter until she has been informed that she is at liberty to withdraw and every reasonable facility has been afforded to her for withdrawing

241 Every entry and Inspection made under sect on 231 clause (&) at all Precasting (a be made under such arrangements as shall ensure due regard for the religious entensa and feelings of the community concerned

increase. eral or beret gargund.

### Arrest walkout Warrant

282 Any member of the police force employed in the cantonment may, Arostin pales without a warrant arrest any person compiling in his view a breach of any without of the provinces of this Code specifical in the first column of S. bedzie II.

(Chapter XVIII -Service of Summones, Notices, etc -Sections 243 244 Chapter XIX -Appeal and Revision -Section 245)

Provided, first, that in the case of the hreach of any such provision as is specified in Part B of the said schedule, no person shall be so arrested whose name and address are known to either the complainant or the arresting officer.

Provided, secondly, that no person shall he so arrested who consents to give his name and address, unless there is reasonable ground for doubting the accuracy of the name or address so given, the burden of proof of which shall lie on the arresting officer

Provided, thirdly, that no person so arrested shall be detained after his name end address have been ascertained

Provided, fourthly, that no person so arrested shall, except under the order of a Magnetrate, be detained longer than may be necessary for hringing him hefore a Magistrate and

Provided, fifthly, that no person shall be so arrested for a breach of the provisions of section 214, except—

(a) at the request of the person importanted or of an officer, as deficed in the Centonments Act, 1910, in whose presence the breach was XV of 1910

commuted, or (6) by

#### CHAPTER XVIII

#### SERVICE OF SUMMONSES, NOTICES, ETC.

Bervice of eathmoses boiles requisitions and out as documents

yes 11 Tinles I a in the Code in any may otherwise to

(f) Where the usual place of abode nr businers of the person to whom the autmons, notice, requisition or document is addressed, is not in the coolin ment; it may be served by posting it in a registered cover addressed to his usual place of ahode or business.

(3) Where the usual place of abode or humaness of the owner of any property is not known, any anch summous, notice, requisition or document ad dressed to him as such owner may be served not the occupient.

(4) Where the untal piece of ahode or business of the occupier of any projecty is not known, any anch soumenes, notice requisition or documen addressed to him as such occupier may be served by affixing it on some ron spicuous part of the property

244. The rervice of a summona, notice requestion or other document as aforesaid on any agent appointed by an absence owner shall be deemed to be service on the nwner.

### CHAPTER XIX

#### APPEAL AND REVISION

Appeals from executive orders when allowed and to whom to lie

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secut of

absentes Dwnsz

245 (I) now person agreewed by any of the executive orders described in the second column of Schedule V may appeal to the authority specified in that behalf in the third column of the said schedule

(Chapter XI \ -Appeal and Revision -Sections 246 249 Chapter \ X -Committees of Arbitration -Section 20)

(5) No such appeal shall be admitted unless made within the period apear field in that hebalf in the fourth column of the said schedule

(3) The period specified as aforesaid as the time allowed for making all appeal shall be computed in accordance with the provisions of the Indian Limitation Act, 1908 with respect to the computation of the period of limits tion thereunder

246 (1) Every appeal under this Code shall be made by petition in writing appeal accompanied by a copy of the order appealed against

(3) Where any such petition as afore and is presented direct to the appel late authority and an immediate order thereon is not necessary, the appellata authority may refer the petition for report to the authority which made the order appealed against

247 On the admission of an appeal from an order other than an order suspension of (a) Section 78 clause (e)
(b) Section 85, net on rending

(c) Section 96 (d) Section 209 sub section (1) (e) Section 215 sub section (3) or Section 216

all proceedings to enforce the order and all proce utions for any brea h thereof shall be held in abeyance pending the decision of the appeal and if the order is ast saids on appeal disobed ence thereto shall not he deemed to he an ---

Revis on

for a review of that decision

250

240 Save as otherwise provided in section 243 the order o' the appellate Fireli and 246 Save as otherwise provided an order appealed against appealed against appealed authority confirming setting aside or modifying an order appealed against ap shall be final Provided that no order shall be confirmed set aside or nod fied on appeal

unless and until the appellant has had a reasonable opportunity of be ng hrard

#### CHAPTER X\*

-, 2,

#### CONSTITUES OF ARTHURATION

tion \15 mand no committee of arb tration-(a) to determine the amount of monthly rent to be paid or

(b) to determine whether any and if so what reps rs are necessary the extent to whi h they are percentry

tration-

are we as t

. m

Da - 1 141 4 2

### I he Cantonment Code, 1912

(Chapter AX -Committees of Arbitration -Sections 251 255)

Discretion of Commanding Officer of cantonnent to convene a committee of arbitration to decide question as to condition of house or as to reat or repairs repairs

- 251. (1) On an application heng made to bim under Condition XX or Condition XXI set forth in a lease executed under section 264 in Forms B or D in Schedule VI, the Commanding Officer of the cantonnent may, after such inquiry as he may think it to make, proceed to convene a committee of arbi
  - (a) to determine whether the bouse has become unfit for occupation, or
  - (b) to determine the arrount of monthly rent to be paid, or
  - (c) to determine whether any, and, if so, what, repairs are necessary, and the extent to which they are necessary, or
  - (d) otherwise to determine the question in dispute

ed in him by this section, the Comefuse to convene a committee of leation therefor is groundless or

Obl sation of Communding Officer of cantonment to convene a committee of arbitration to delermine a mount of

convene a committee of erhitration to determine the amount payable

compensation payable Procedure for convening committee of arbitration

283 (1) Where a commuttee of arbitration is to be convened, the Commanding Officer of the cantonment shall cause an order to be published in Station Orders, stating the metter to be determined by the committee of arbitration

of the order published the partice concerned, nominate members of

Composition of committee of arbitration convened noder section 250 or

- 264 Every committee of arhitration convened under section 250 or 251 shall consist of—
  - (a) the District Megistrate or, if it is inconvenient for him to act, some Magistrate, being a justice of the peace, appointed by him to act in his stead.
    - (b) a member to be nominated by the officer concerned, and
    - (c) a member to be nominated by the lesses

appoint a member in the | lace of such nominee

Competition of committee of arb tration convenit under section 2.2

255. Every committee of nrbstratum convened under section 252 shall consist of-

- (a) the District Magistrate or If it is inconvenient for him to act, some Magistrate, bring n justice of the peace, appointed by him to ect in his stead.
- (b) a member to be nominated by the person or persons concerned, and
- (c) a member to be nominated by the cantonment authority .

Provided that, if such person or persons concerned as eforesaid falls or fail to nominate a member within seven clear days from the date on which he or they is or are called upon to do so, nr if any member wio has been nomin

(Chapter AX -Committees of Arbitration -Sections 256 200 Chapter A V -Applications for Building sites on Government Land in Cantonments -Sections 261 260 )

member in the place of such nominen

227. When a committee of arbitration has been duly constituted, the Assembly of Cantonment Magnatrate shall, by notice in writing, inform each of the members arbitration at the fact, and the committee of arbitration shall assemble within cover clear arbitration. days from the service of the notice

258. The District Magistrate or the Magistrate appointed by him to not Chalman of in his stead shall be the chairman of every committee of arbitration 252, 27

arbitration

mittee of arbitration may find to be customarny [ and for the time being in it o

naighbourhood by tenants 280 (1) The decision of every committee of arbitration shall be deter Dreislon of mined by the majority of the votes taken at a meeting at which all the committee of members are present.

(2) The decision of every committee of arbitration shall be final.

be by vote

tuild or-elles.

#### CHAPTER XXI

### APPLICATIONS FOR BUILDING SITES ON GEVERNMENT LAND IN CANTONNEXTS

281. Every application for permission to occupy for the purposes of a applicational building sate, land belonging in the Conveniment in a cantinument shall be for permission submitted in the cantonment authority in writing, and shall contain the lowersy Covernmen following particulars, namely -

(a) the situation, area and boundaries of the land,

- (b) the materials to be used in the intended buildings.
- (c) the period after the date of occupation within which the intended buildings are to be completed, and
- (d) the purposes for which the land and the intended buildings are to be used
- 202. Every application made under section 261 shall be accompanied by Documents to (a) a plan, on a scale not smaller than one bundred and ten feet to tis arritations. inch, showing-
  - (i) the boundar es of the Land,
  - (u) the roads or lands adjoining, and
  - (m) all build res intended to be ererted on the land;

(Chapter IM -Applications for Building sites on Government Land in Cantonments -Sections 263 264)

- (b) a ground plan and elevation of the principal building intended to be erected, showing the dimensions of the same.
- (c) a statement of the buildings intended to be erected.
- (d) an approximate statement of the intended outlay on the buildings and on the rent which it is proposed to charge for the same, if let to a tenant, and
- (c) a declaration that the applicant has read the appropriate form of lease referred to in section 264 and undertakes, in the event of his application being sanctioned, to execute a lease in that form

D spoud of such applications

- 263. (1) Every application made under section 261 shall, if the procedure prescribed by that section and section 262 has been duly observed, be referred by the cantonment antiberty to the Executive Engineer
  - (a) for verification of the plan referred to in section 262, clause (a), and
  - (b) for report as to whether the land as in the vicinity of a forthfied place, whether the land is in the opinion of the Executive Engin eer, likely to be required for any public purpose, and whether there is any departmental objection to the application heing sane timed.
- (2) On receipt of such verification and report as aforesaid, the application shall be submitted to the Commanding Officer of the Cantonment

- ^=

### Provided as follows -

. ...

- (a)
- (b) The cantenment authority, the Commanding Officer of the Canton ment, the Officer Commanding the Brigade, or the Officer Commanding the Davisson, as the case may be, may reject the application:
- (d) If ...

#### Government

#### Esecution of lease with alte plan annexed,

204 [1] When an application under the control of th

(Chapter AAI - Applications for Building sites on Government Land in Cantonments - Section 265 Chapter AXII - Registration of Immore able Property in Cantonments - Sections 266 268 )

able Property in Cantonments —Sections 266 268 }

(3) To every lease and to its counterpart there shall be appended a eto plan of the land prepared at the cost of the applicant on a scale not smaller than one hundred and ten feet to the nich, showing—

(a) the houndaries of the land,

(b) the roads or lands adjoining, and (c) all buildings authorised to be erected on the land

(3) The site plan shell he semfed by the Executive Engineer and shall

to signed,-

(a) if the land is cituate in a bazar, by the Cantonment Magistrate,

[5] if the land is not estuate in a bazar, by the Officer Commanding the Brigade, or if there is no each officer the Commending Officer of the cantonment,

and shall be endorsed with the date of its preparation, the name of the lesses and a note epecifying the period within which the buildings to be erected on the land are to he completed

(4) One copy of the site plan, prepared at the cost of the applicant and vernised by the Executive Engineer, shall be delivered by the epplicant to the autonoment authority
The What he requirements of action 265 have been complied with the continuous.

285. When the requirements of section 264 have been complied with the Grant and entonment authority shall—

## CHAPTER AMI

#### REGISTRATION OF IMMOVEMBLE PROPERTY IN CANTONNENTS

266. The cantonnient authority shall prepare and maintain a general plan General size of the cantonnent, on a scale of not less than twelve unches to the mile, show ing all necessary details and distinguishing in particular—

(a) all houses (if any) which have been set apart, in accordance with the conditions of leases executed under section 264, for occupation by civil officers, and

(b) all land (if any) which does not belong to the Government, and all houses (if any) situate thereon.

267. The cantonment authority shall also prepars and maintain a bazar lease-plan, on a scale not smaller than one handred and ten feet to the inch, of every bazar in the cantonment.

266 (!) Every site shall be shown under a distinguishing number on the place of plans prepared under this Chapter, and the numbers for each bazar shall form stores is to a ceparate series.

(\*) Every street shall be shown on such plans as aforesaid by its name or under an alphabetical letter or number

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#### The Cantonment Code, 1913

(Chapter YVII -Registration of Immoveable Property in Cantonments -- Sections 269 272)

Dalling and authentication of plans

ation dated and authenticated by the agnature of the Executive Engineer

(2) Whonever a general plan prepared under section 266 is altered, the alteration shall be explained on the plan in a memorandum dated and aigned by the Executive Enganeer

Plans not to be destroyed without sai ction

bazara

Peg sier of Government land held by lessees outs do

patriousais, so far as they can be ascertained, namely --

- (a) the name of the cantonment, and the number and date of any orders declaring it to be a cantonment or defining its limits.
- (b) a reference to any similar relister keft before the commescement of the Costonment Code, 1899
- (c) the date of registry of the site
- (d) the number of the este, as about on the general flux maintained under section 266,
- (e) the dimeesions of the arte.
- (/) the boundaries of the aito.
- (g) in the case of a site occupied before the commencement of the Cantenment Code 1899, the date of the permission to occupy the alle, and in the case of a site occupied after the commencement of the Cantenment Code, 1899 the date of the lease executed by the leaves under the said Code or under section 264.
- (h) the name and description of the fessee at the date of registry
- (f) the name and description of the lesses a agent (if any) at the date of registry,
  - (j) the nature of the fessee s right under this end the Cantonment Code, 1899, or under any other provision of law, including the particulars of any special right of occupancy.
  - (I) the estimated value of buildings on the aite at the date of registry,
  - (i) the dates of anthersties to add to huldings, and
  - (m) all changes occurring from time to time, whether by transfer, by alterations or additions, by decisions of cummittees of arbitration, ie dimensions, in value, or in agency

Legianation -In this section the expression "date of registry" means the date of entry in the register maintained bereinder

Peguler of Government land held by lossees in basars 212 The Cantonment Magnitrate chall maintain a register showing, in regard to all Generated that Beld by Reseas and situate in a bazar (whell or the sites were occupied by the Revers before or after the commencement of the Cantonment Code, 1899) and the buildings attuate thereon, the fellowing particular so far as they can be accretianted, namely—

- (a) the name of the bazar.
- (b) a reference to any similar register kept before the commencement of the Cantonment Code, 1839.
- (c) the date of registry of the site.
- (d) the number of the site, as shown on the bazar plan maintained under section 267,
  - (e) the dimensions of the site
- (f) the boundaries of the site,

#### (Chapter XXII -Registration of Immoreable Property in Cantonments -Sections 273 274 )

- (q) in the case of a site occurred before the commencement of the Can tonment Code, 1899, the date of the permission to occupy the site, and in the case of a aito occupied after the commencement of the Cantonment Code, 1899, the date of the lesse executed by the lesses under the and Code or under section 254,
- (A) the name and description of the lessee at the date of registry . (i) the name and description of the lessee's agent (if any) at the date of
- registry, (1) the estimated value of huildings on the site at the date of registry,
- nnd
- (A) all changes occurring from time to time, whether by transfer, by al terations or additions, in dimensions, in value, or in egency
- Luplanation -In this section, the expression "date of registry ' m ins the date of entry in the register maintained hereunder
- 273. The Cantonment Magistrate chall maintain a segister chowing, in Resister of regard to all land (if any) which is private property, and the buildings attuate private land thereon, the following particulars, so for is they can be exertained, namely
  - (a) the name of the cantonment, end the number and date of eny orders declaring it to be a contemment or defining its limits,
    - (b) a reference to any similar relater kept before the commencement of the Cantonment Code, 1899,
    - (c) the date of registry of the site,
    - (d) the number of the site as shown on the central rian
    - (a) the dimensions of the site.
    - (f) the boundaries of the site,
    - (g) the name and description of the owner at the date of registry,
    - (A) the name and description of the owner agent (if any) of the date of registry ,
    - (i) the particulars of the owner a right by reference to any acknowledg ment by the Government, or any other proof,
    - (1) the estimated value of huildings on the site at the date of registry. and
  - (i) all changes occurring from time to time, whether by transfer, by alterations or additions, in dimensions, in value, or in agency Liplanation -In this section the expression date of registry means the
- date of entry in the register maintained berennder 274. (1) The Cantonment Magnitrate shall maintain a register of transfers, Register of in which he shall from time to time coter references to all transfers of immove transfers.
- oble property-(a) registered in his own office, where he is himself Peglatrar or Sub-Regis
  - trar of the cantonment under the Indian Registration Act, 1908, or
- (b) appearing in the course forwarded to him by the Regular of the district under section 29, sub-section (f), of the Cantonments Act. 1910.
- as the case may be
- (f) The reguter of transfers shall contain the following particulars. namely -
  - (a) a serial number for each transfer,
  - (b) the date of registry.
  - (c) the distinguishing number of the site as recorded to the retriect maintained under section 21, 22 er 23, as the case may be.
  - (d) the name of the transferor,
  - (r) the name of the transferre ,

#### Chapter XXIII -Supplemental -Sections 287 293 }

- (b) by the members of any sub-committee specially authorized by the Cantonment Committee (if any) in this behalf, or
- (c) if a Cantonmer' Committee has not been constituted or has coased to exist or counct he convened, by the Commanding Officer of the can tonment.

Publication of public

- 287. (1) Unless it is in this Code in any case otherwise expressly provided every public notice issued thereunder shall be published by proclamation or in such other manner as the Local Government may direct
- (2) Such proclamation as aforesaid shall be made by such method as the authority issuing the notice, or the Cantonment Magistrate, may deem to be the customary method

#### Penulties and Prosecutions

Penalties.

Limitation of preservation s

to entertain the complaint

(2) In lien of, or in addition to, ony fine imposed under this Code, the [67] Fine Act Count may require the offender to remedy, so far act it lies within this power to [11] et al. 2 do so any muchuel in respect of which the fine is imposed 228 No person shall be liable to purshement for a breach of any of the [67] In Act III provious of this Code unless complaint of the breach is made within three of 1288 2 814 ] months after the commission thereof before a Magnitude having jorn-diction

#### Miscellaneous

Precution in case of fallure and recovery of cost thereof

- 200 (1) Where any person fasts to perform any act which he has, by a [0] final act of notice issued under this Golds been required to perform the continuous till [of 911] a final f
  - "(?) Any money claimable by the cindoment authority under this Code otherwise than on account of a tax may he recovered on application to a Magnitrate having pursuication within the limits of the contomment or in any other place where the person from whom the money is claimable may for the time being he readent, by distress or sale of any moveable property

within the limits of his jurisdiction belonging to such person (3) When money is recoverable from the owner of property, it shall until it is paid, be a charge on the property

Verification of weighte and measures.

- 231 (1) The cantonment authority shall maintain such standards as it thinks fit for the purpose of verifying weights and measures, and shall provide proper meane.
  - (a) for verifying weights and measures in use in the cantonment by comperison with such standards as aforesaid, and
  - (b) for stamping weights and measures so verified
  - (\*) The cantonment enthority may, by public notice, fix the times and places at which a servant of the contoument authority shall attend for the

Compensation for damage resulting from ever ise al povers under purpose of such verification as sforesaid

17. Ituies and

#### The Cantonment Gode, 1912

#### (Chapter XXIII -Supplen ental -Sections 293 298)

293. Every power conferred by this Code on the Officer Commanding the Powers to be Division, the Officer Commanding the Brigade, the cantonment authority, the from time to Sanitary Officer or the Cantonment Magnitrate may be exercised from time to time.

time as occasion requires

29.4 In cases of emergency the Cantonment Magistrate may direct the Escation of
execution of one work or the doing of any act which the cantonment of rangeon
authority is empowered to execute or do and the immediate execution of
doing of which is in his opinion necessary for the service or safety of the
public, and may direct that the oxpress of executing such work shall be part.

from the cantonment fund Provided that-

Provided that-

 (a) he shell not act under this section in contravention of any order of the committee, and

(b) every direction given under this section shall be reported to the next following meeting of the committee

The state of in Station or politicalion e equent notification to the

to refer to the number,
206. No notice, order, requisition, license, permission in writing or other sollies and

236 No notice, order, requiritum, secure, presentant and present state during state and focument stated under this Code shall be usuald need by reason of any star defect of form.

237 No. 133 no. 232 no. 23

(2) Copies of any bye laws as aforesaid shall be kept at the office of the

cantonment authority for sale to the public

(3) Copies of this Code will be kept at the office of the Superintendent,
Covernment Frinting India, Calcutta for sale to the public

SCHEDULE I.

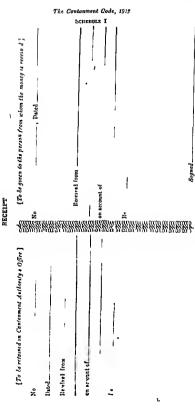
(See Chapter IV.) FORM I.

-Cantonment Fund Register of Receipts into the

The Cantonment Code, 1918.

	Date County Prom whom	Participal	M.70a Baro,	Major Head	Total	Sola Fora
_		receipte	Minor heads and	Minor heads and sub heads.	receipt	Door.
·	Badget Ertimate	rimate			F	-
	Total for the mon'b.	for the			===	
	Add total to end of last menth	l faend month				==
	Total from 1st April to date,	om 1st				_ -

FORM 2



Cantonment Fund Amount of of Treasury in account current with the Pics Book. form 3. CHEQUE BOOK NO \_\_\_ Date Advised Amount No. No. of å

The Cantonment Gode, 1912 Screpule I

This cheque is current for three months only.

			The	Cantoni Scu	nent DULE	Code,	191*				
CANTONMENT FUND CHEQUE.	Cheque Book No	Cheque No	Dated	To the Officer in charge of the Treasury at	Re and charge to the	Cantonment Innd	der Signes	Secretary, Cantonment Committee,	Or President, Cantonment Committee,	or	Commanding Officer of the Cantonnent,

Cheque Book No. \_\_\_\_\_

Register of payments from the

FORM 5.

Cantonment Fund.

o of cheque by				
Te all the state of the state o	Budget Esti. mate.	Total for the month.	Add total to end of last month.	Total from 1st April to date.
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FORM 6.

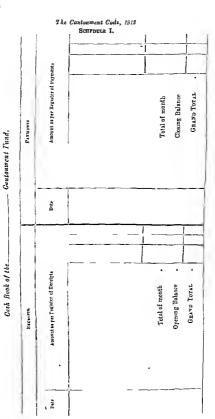
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Amount of Imprest, Rs \_

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		Xa, of Fabruaches.	
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The Cantonment Code, 1912

FORM 7



## SCHEDULE I

Budget Estimate of Receipts of the \_\_\_\_Cantonment Fund for the financial year 19 -19

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	Aretare 19 19 19 19 19	Actuals year)	Calgina	Perised	Egitmate 19 1 suing year)	
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I-Land Beranue-	r.	Re .	P1	E4	3.0	
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H-Assessed Taxes-				_	_	
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III -Medical-						
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er -Minor Departments						
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F-Miscellaneous-(*)						
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tease make of f						
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## SCHEDULE I

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Budget Estimate of Receipts of for the financial ye	of the- ar 19	-19	-Can		ent l	Tund
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VI - Public Works-	Ps	E.	Re	Re .	E.	
Tol s and Ferries Muscellaneous			i			
Total of VI						
VII Interest on Government Secu	į					
Total Receipts from local sources	_	_		_		
VIII - Grants in aid-				1		
From Grant 18—Army Est mates From From From	ļ					
Total Grants in aid	$\equiv$					_
Total acome from all conrece	,				-	
II -Deposits and Advances	íí			{		
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secretary, Cantonment ) Presu	dent, C	anton	ment C	lomn	uttce	,
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## SCHEDULE I

#### FORM 8

Rudaet	Estimate	οŧ	Expenditure	of	the-		-Cantonment
uu j	Fund fo	or.	Expenditure the financial	1160	ır 19	-19	

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nua- Collecting Establishments Contingencies	1					
Total of 2	,			l		_
3 -General Administration-				1		_
Cantonment Magistrate Assistant Cantonment Magistrate						
Estal liabments . Coat agencies				1		
Total or 3				[-	_	_
(Courts at Law	_	_	_	·	_	
4 -Law and Justice { Jelle						
Total of 4	_			_		_
5 -Grants to Charitable and Educa tional Institutions.						
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Hospitals and Dispenseries—  Estat hist ments  Cont ngencies				ı		
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#### SCHEDULE I

Budget Estimate of Expende	RM 8 ture of	the-	19 —			men•
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Secretary, Cantonment   President		auton ding (	ment C	omm of th	ittee	
Office of the Cantonment A Dated 19 Sancti	oned.	TY,	Juer Co		ndina	7.
Date!	-	_	depende	D	13 1 10	11

#### SCHEDULE I FORM S -APPENDIX A

Detailed List of Establishment provided for in the Budget Estimate of the Cantonment for the year 19 -19

Estimate of the-	——Cant	onment	for the yea	ır 19 -1	9
1	2	3			narks
Major bead	Detail with rate of pay per measure	(fert sen) 30 30 3,4	Rerived Est mate, 16 -19 (carrent year)	Letimate, 19 19 (ensaing year)	Fre anatory Bemarks
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3 -General Adminis	)	Ì		1	š
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## The Cantonment Code, 1912. Schedule I.

#### FORM S .-- APPENDIX B.

Detailed List of Expenditure provided for in the-Cantonment Fund Budget Estimates other than that included in Appendices A, C, and D.

1	2	3	4	5	6 -
Major head	Minor bend	Detalle	Actuals, 19 -19 (past year)	Revised Estimate, 19 -19 (current year)	Estimate, 19 -19 (eneming year).
	Refunds of Taxes.				
1.—Refunds {					
l,	Miscellaneous Refunds.				
2.—Collec- tion of Revenue.	Contingencies .		e de la companya de l		
3.—Goneral Adminis- tration.	Contingencies .	•			
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## The Cantonment Code, 1912 Schippule 1

## FORM 8 -APPENDIX B-contd

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Major bead	Vilaor head	Details.	Actuals, 19 19 (past year)	Revised Estimate, 18 19 (current year)	Estimat 19 19 (cusping year)
i.—Law and Justice. {	Courts of Law				ı
5.—Grants to Charitable and Edu- cational Institu- tions					
	Hospitais and Dispensaries contingencies		2		
6.—M e d 1	Vaccins t 1 0 n contingencies				

The Cantonment Code, 1919

	- 46	Cantonment Code			
_	FOR	SCHEDULE I -APPENDIX	1919		
	TORM 8.	-A PDENT			
1	1	TENDIX	B		
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		3	1	7	
. Major bead	-	-	4	5	1
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	or nead	Details,	Ant	Revised	1-
-			Actuals, 19 -19 ast year)	Feiimate	Estimate
1			ast year)	Felimate, 19 -19 (current	Estimate. 19 -19 (conning year)
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#### SCHEDULE I

#### FORM S -APPENDIX B-coreld

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Minor besd	Detai*s	Actuals, 12 18 (past year)	Revised Estimate, 19 -19 (current year)	Estimate 19 -19 (ensuing year)
Pension* and contribution to Provident Funds				
Rents, Rates and Taxes Contingencies				
Cattle Pound ; contingencies		1		
	Minor besd  Pension* and contribution to Provident Funds  Rents, Rates and Taxes  Contingencies	Minor head  Pension* and contribution to Provident Funds  Rents, Rates and Taxes  Contingencies	Minor head  Detail*  Detail*  Pension* and contribution to Provident Funds  Rents, Rates and Taxes  Contingencies  Cattle Pound	Minor head  Detail*  Actuals, 12, 13 is 13 is 13 is 15

### Note -All expenditure should be fully detailed in column 3 thus-

			R	a	p
Purebase of three Crowley carts			450	0	0
, of bullocks .			100	0	0
Feed of ditto			168	0	0
Repairs and renewals to pans and receptables			100	0	0
Purchase of gear .			50	0	0
Miscellaneous not included in above, but ex- any reserve	ludın;	g	100	0	0
			968	0	0

Sanctioned prior to the commensured of the Cantonient Code, 1939 which does not allow the great of pensions of grantilite.

This should include all petty expend thre which cannot be detailed, but should not include artifling of the nature of a revers.

# SCREDULE I.

The Cantonment Code, 1912.

Details of Briget Betimate for Original Worke (construction of Buildings, Ronds, Lateries, etc.) in the --FORM 8.-APPENDIX C. Maion line "10,-Public Works"

	Cantonment for the year	or the year	1	-		!	
-							
Sub-heads.	Nature of each work	Fortmated	Patimate for	Pretoualy	Eathmats for (onsuing your),	REMARES.	
Bulldlags	Total " Buildings "				,		
Rusds					T   		
	Total " Rouls "						
Other works .				•			
	Total "Other Works "						

Note.—Coloum 3 will show the eatire cent of the work; redams 4, the san sendiented for expenditure during the current year; come 6, the anomal periodic periodic disconcementered the work; and otherms 6, the neutral proposed for expenditure during the ensuing year. Thus, if the work is to be completed during the ensuing year, the total of a colours 4, 6 and 6 will legal that in colours 3; otherwise the difference will show the amount with will still be required to complete the work. 1

The teleis in solvan a will ogree with the elletmonie made in the body of the reviest extincis for the eurrent year.

## The Contonment Code, 1910 Scheputs I

\_Cantonment for the year \_\_\_ FORM 8-APPENDIX D. Details of Budget Estimate for Maintenance and Repairs in the. Mrea Hain "10-Public Works"

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		1	Revised Esti	Anticosto (enable)	_
Sabhesda	Nature of each work	(past 7es )	(current year)	rear)	
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Peads	Total ' Roads			1	
Other works	Total ' Otl er Works		1		
Petty Construction and Repairs .	Total Petty Construction and				

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#### The Cantonment Code, 1918.

#### SCHIPULE I.

#### FORM 8.-APPENDIX E.

TOR	DI 0	TE ETITI	DIA 14.		
	Avenge, 19 ·19	Astuals,	ESTIMATES (CURREN	, 19 -19 7 TEAR).	Estimate.
Details of Miscellaneous Receipts —Item V Head of Receipts.	Average, 19 -19 to 19 -19 (past 3 years).	Astuale, 19 -19 (past yest)	Original.	Reviséd	Estimate, 19 -19 (ensuing year)
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The Cantonment Code, 1912

FORM 8 -APPENDIX F
Abitract of Receipte and Expenditure of the Cantonment Fund

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	AMOUNT BY WHICE COLUMN 13	Is less than column 11	=					
	ANDUNA	Erceeds column 11	a					
	Estimate	contog year 19 19	я					<i>!</i>
	Revised Estimate	ed real	ı.					
	Actusl,	Crest Start)	2					
i	Averser 19 19	2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	-					
.		Espenditure	•	Refunds 2 Collection of Errons 3 Greenal Advantation 5 Law and Justice 5 Chains 7 Minor Depart	6. Supera II n m a t open t open b Miscellaneous	10 Public Works Total	II Deposits and Advances Closing balance	GBAND TOTAL
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	тория в тарод В тародия в	Exceeds column 6				ì		
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		Receipts		Land revenue If Americal Taxes If Minner Depart IV Minner Depart V Mirechancou FIF Pablic Norks VI Pablic Norks	Breeipin from Local Sources.	Total lacome	IX Deposits and Advances, Opening balance	Gazen Total

FORM 8-APPENDIX G

Stitement aboung the actual investments of the Canton actually realised or expected to be restricted, during the probable additions to, or reductions thereof, as well as the interest actually realised or expected to be restricted, during the periods shown (Par. 2. Appendix VI. Cantonment Manual 1909)

		ACTUALS OF PAST XBAR.	23.74		eg.	4417	Retilled Estimate of Cuarbut	1 09 CU	100		Ema	ESTIMATS OF ENSTIND TEAR	EXSTINC	,	<del></del> '	Ran	REMARIE	
	Govern Fromis From Votes 1131 /	Manicipal or Port Tract Bonde	Interest	¥	Govern ment Proms- tory Votes at 31.7,	Engran.	Man clind or Port Trust Bonds	Interest	Ĭ.	Govern- ment Promis- act Notes at 31%.		Mnne pal or Port Trust Bonda at	Interest	' <u>*</u>		State in whether th is deposit Account oral for it orangen for bold for bold Not	Fake in the column   Fake in the column   Technet the investment in deposited with the   Accountant Gen     Accountant Gen	_ Ec
Opecing Balance of astual in				-		i		-			<del> </del>		R		8.			REDULE
Amount invested in yest yest, and proposed to invest during correct or soming year																		I
Total						+	T				<del>'-</del>	Ī						
Investment realised or intended to be realised,																		
Closing Balance																	ı	

## FORM A. TAX DEMAND REGISTER.

[SCHEDULL II -See section 57] MUNL FORM NO 17

FORM

HOUSE Tax Demand Register for (To be printed in open

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	Surrey or door ho or des gos tion of building or eltast on	Appael value	Half yearly	amount of tax	Date		Amount	Date		Amount.	Date	fmonnt	THOUSE .	Date		Ашоова	Date	Amount		Date	Amount	Aumher of warrant if any			hamber in remis	Dainnes of first half year out standing at the end of that half year	Anmhor of Hea
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36 37 35 E c F R c F
31

The Cantonment Code, 1912.

[SCHEDULE II .- See section 57.]

FORM

MUNL, FORM No. 19.

PROFESSION and Trade Tax

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Name of party	roop pu	Ancisment.		
Name of party	Deenpation Name of errect and door or other address	Monthly income Class in schedule Amont of tas for first half year Thistale of bearriesy or Manager	Amount Amount Amount Amount Amount Amount Amount Amount	humber of line
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Register for the year 19 -19 .

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[SCHEDULE II -See section 57.] Munt. Form No. 21

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Assessment tomber Corresponding assessment number in the house tax demand register			Address	Amount due	Anceber of warrant If any		Amount dae	Number of warrent If any			Cambre of warrant if any	_	Amsunt dos	Namber of warrant if any			Ataount	Dete		Апочи	Onte		Amount	Date		Amodat	2 Pate	Amount	
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C Fees for the year 19 -19

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#### The Cantonment Code, 1912.

[SCHEDULE II.-See section 57.]

FORM

MUNL. FORM No. 22.

REGISTER of Miscellaneous Demands

[Articles 105 and 123. To be

[Nors.—At the top of all littme coming under the same head of receipt, the nature of the revenue should be written in red ink in the register settlem of the same class. A red lans should be drawn across the register after each such total with experience of the particle below the same class. A red lans should be drawn across the register settle each such total with experience of the particle below the same as a result of the same across the same acros

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. Serial Number.	Name of repter	Aumber and dies	Date	Amount	Amoant of each instalment,	Dae date of payment	Атеат	Carrent	Total,	
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for the year 19 -19

printed on open royal ]

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#### [SCHEDULE II -See section 57]

Munl. Form No. 28.

FORM

ARREAR Demand Register from the years 19 -19 to 19 -19 (To be printed in open Į, Written of Collections in . Dalance at the end of the half year April September May Jaly Angust Balance Assesment number Name of party, of tax dae Amount Amont Amount 13 15 17 2 

E.

or tax relating to the year 19 -19 .

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[SCHEDULE II See section 57]

MUNL FORM No 35

FORM

REGISTER OF (Article 148) (To be

Note —The clerk concerned ahould note the number of each warrent issued against the corresponding assessment num When property is distrained, a note to that offer should be and in coloun 21 Separate should be act of tages consecutive numbers should be act aside. The numbers of the warrants is sensed to each of the cofficers of the control of the con

		iii		ļ	Taxo	a arts	Tax on	buildings.	Tax o	n lauds	
Warrant number	Name of party	Date of presentation of	Date of 1881s of warrant	Assessment number	Amount of fax involved	Amount of tax collected	Amount of tax involved	Amount of tax collected	Amount of tax involved	Amount of tax collected	
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					Rap	Rap	Rag	Rap	Rap	R a p	

							_	Account	of outstands	sg balance
2			Tax o	n arts.	Tax on b	egitánge	Tax on	lande	Water and	dramage tax
Solle	per l	nnmber	ž.	tax	\$	tax	tax	j	ä	. 3
Warrant tee collected	Warrant number	Assessment r	Amount of	Amount of collected	Amount of igvolved	Amount of collected	Amount of involved	Amount of collected	Amount of involved	Amount of collected
23	26	25	2G	27	28	20	20	31	52	33
Fap			R a	F   4 p	F e P.	E ap	Fap	Far	r alp.	Ray

#### WARRANTS

#### printed on open foolscap.)

ber in the demand registers and in the bills concerned and place his militals in column 20 of this register in token thereof about to seed a part for each officer entrained with the serest on of werrents for each of short stream thomas with should be entrained in the repetitive portion of this register consendered principles for the third for minicible yet assend J

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	- 11									

[Schröde II.-See section 57.]

MEM. FORM NO. 41. (ART. 169.)

FORM G

The Cantonment Code, 1912.

List of . Initials and Vehicles subject to License tax for the half-year ending 31st March 19

165 ( 3234	alen	de rechte parities auf	an an	
Inlance.	Ĺ	hylice) fax.	·	4
ğ		Tehn-le tax,		*
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[Schedule II -See section 57 ] MUKL FORM No 47

COLLECTION

Register of Tax on Vehicles, Animals and Carts for the half-year ending with September 19 FORM H (Article 173) (To be printed on open dom!)

Column 32 only should be totalird dally and Ca sand other web eles without œ all tat le tasous. \$23qmma 20 43qmmit egus • Ke \$ Ofber [Yors,-Collections made on verments and special it a rea thould be onto ad in a reparts part of this way ster set saids for the purp or [Yors,-Collections and on the result you of in column 11] numbers Licens number or Two wheeled Sehiclos w th apriogs Licen e number or Foar whee at License number or Ra 10 g g Lieenes unmber or Address Name of party

The Cantonment Code, 1912

MURL PORM No 17-con'd.

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#### SCHEDULE III

# (See section 208) FORM OF NOTICE TO ATTEND AT HOSPITAL, ETC

То				
Take notice that,	under se	ction 208	of the Cant	onment Code,
1912, you are hereby	called up	on to atte	nd at the	
			on_	day
the	_, 19	,st	o'clock	и, and
not to quit the said		wit	hont the peri	nission of the
Medical Officer in ch	arge, un	less and nr	til that Offic	er is satisfied
that you are not in fa	act suffer	ing, or are	e no longer s	fernig, from
an infectious or conti	grous di	sorder, tha	t is to say, f	rom

Medical Officer in charge of the

Daled\_\_\_\_\_, the\_\_\_\_\_, 19-

## The Contonment Code, 1912.

## SCHEDULE IV.

## (See section 242)

## CASES IN WHICH POLICE MAY ARREST WITHOUT WARRANT.

1	1
Scetion	Sabject

## PART A.

67 (a) (ı)			Drunkenhess, etc
197	•		Making or selling of food, etc., or washing of clothes, by infected person.
277		•	In contravention of bye law, enting or destroying trees or shrobs or making excavations, etc., in hill cantonment.

## PART B.

				<del></del>
37 (a) (ı	ı)		٠	Using threatening or abusive words, etc.
67 (a) (s	111)		٠	Indecent exposure of person, etc.
67 (a) (l	т)			Begging.
67 (a) (s	1)			Expeasing deformity, etc
67 (a) (t	iı)			Gsming.
67 (a) (s	111)			Destroying public notice, etc.
67 (a) (e	1111)			Breaking direction-post, etc.
67 (9)				Keeping common gaming-house, etc
(7 (3)				Intrading on tathing-place, etc.
67 (i)				Playing music
67 (J)	٠	٠		Singiog, etc , so as to distorb public peace or order.
67 (£)	٠	٠	•	Firing gun, or doing other act, so as to frighten animals or cause annoyance or danger.
67 (n)				Balting.
90 (2)	٠	•		Destroying, etc., name of street or number affeed to building.
160				Rath riding er driving

# The Cantonment Code, 1912 SCHEDULE IV -contd

1	1
Section	Sabject,

## PART B -contd

141	Riding or driving at time or in manner prohibited
142	Driving eto, between nightfall and dawn without a suitable lamp
144	Leaving vehicle or animal without proper control
146	Obstructing street.
161 .	Polluting source of public drinking water supply
162	Impairing quality or dimbushing quantity of water in source of public dricking water supply or injuring or impairing ausfulness of water-works
163	Treepees on water works
166	Throwing corpse into a source of public water supply
170	Bathing or washing at public well or spring so as to pollute the water
175	Feeding animal on filth, etc
209 (2)	. Remaining in or re-entering cantinument after not ed of expulsion for failure to attend hospital or dispen- sary
210	Introducing liquor or drug into hospital or dispensary
213	. Mendicancy
214	Lostering or importuning for sexual immorality
315 (3)	Remaining so, or returning to, a cantonment after
216 .	notice of eagulator.
218	· Cruelty to animals.
221	. Letting off fireworks etc., without permission

### SCHEDULE V

## (See Chapter X1X.)

## APPEALS FROM EXECUTIVE ORDERS.

1	2 5 1		4
Section.	Executase order	Appellate authority.	Time allowed for appeal.
21	Cantonment Magnetrate's order duminising errant of cantonment authority— (i) whose salary is less than twenty— five rupees a month less than twenty five rupees a month	rity	Thirty days
7ª (e)	Cautonment authority's notice to provide sufficient drainage.	Ditto ditto .	Fifteen days from service of notice.
82	Cantonment authorsty's notice to fill up a tank or marshy ground, or to drain off or remove wasto or ataguant water.	Ditto ditto .	Thirty days from service of notice,
55	Cantonment authority's notice requiring a building to be repaired or altered so as to re- more sanitary defects	Duto dilto •	Ditto
82 (1)	Lantonment anthority's refusal to sanction the erection or re-erection of a building	Ditto ditto .	Thirty days from dato of refusal.
92 (3	Cantonment authority's notice to alter or demo	Ditto ditto :	Thirty days from service of notice
15 .	lish a building Cantonment anthority's notice to pail down or otherwise deal with a building newly erected or rebuilt without per- mission orer a sewer, drain, culvert, water- course or water-pips.	Ditto ditto .	Ditto

## SCHEDULE V -confd

l .	3		•	
Section_	Executive order	Appellate authority	Time allowed for appeal,	
96	Cantonment authority e notice to repair, pro- tect or enclose a build- ing, well, tank, reser vur, pool, depression or excavation.	Officer Command ing the Dirision	Thirty days from service of notice	
97	Cantonment authority's natice to remove a building, will or structure or anything affixed thereto, or a bank or tree or to reper a building, wall structure or bank	Ditto ditto	D <sub>1</sub> 4to	
110 (1)	Cantonment anthority s notice to close a sarai	Dastrict Magistrate	Dillo	
119 (3)	Cantonment authority a notice to close a mar ket.	Officer Command- ang the Division	Ditto	
129	Cantonment authoritys notice prohibiting or restricting the use of a slaughter house	District Magnetrate	Twenty-one days from service of botice.	
	1	I-The Com-		
209	Order of Communsed ung Officer of canton ment, un report of Medical Officer, directing a person to remove from the cantonment and pre-bibiting burn from re-entering it with-nut permusuon	mader in Chief if the Com manding Offi er of thi eantomoral is the Other Commanding the Division iI — The Officer Commanding the D vis on in all other cases.	from service uf natice	
21- (3)	Cantonment Magus trate's notice directing a person to remore from the cantonment and prohibiting him from re-entering at we hast permission		Ditto	

# The Cantonment Code, 1918 SCHEPULE V -concld

BOARDOLE V CORCIA						
1	1	3	4			
Section	Executive erder	Appellate authority	Time allowed for appeal,			
216	Cantonment Magne trate a notice issued on order of the Commanding Officer of custonment, direct ing a person to remove from the cantonment and prohibiting, him from re-entengent with out permission	Officer of the				
251 (2)	Order of Commanding Officer of eastern mean refraing is converged to the committee of arbitration	I -The Comman der m-Cheir he Command ing Others of the eanton ment is the Officer Com manding the Division II -The Officer Commanding the Division in all other case				
261 and Schedule VI (Con	Cantinument authority a notice in pir suancs of conditions of lesse requiring a lessee to let a house, not already occupied by military officer, to a military officer	Officer Command ing the Davision	Twenty one days from service of notice			
ditions of Lease)	Cantonment anthursty's notice in pursuance of conditionant lease requiring a lease to let a house to a civil officer	Ditto ditto	Untto			
	Cantinument authority a notice in pursuance of conditions of lesse, re- quiring a tenant to vacate a house	Ditto ditto	Ditto.			

include bis

Cantonment which is delineated in the site plan hereto appended, and have
enhantted with their application the part culars and documents required by sections
261 and 262 of the Cantonment Code, 1912  And whereas the said spipestion has received the sanction of the Officer Commanding the  Now the Indenture witnesseth as follows—
The Secretary of State doth hereby grant unto the Lesses (s) librity and incente to enter note and upon the pace or parted of land delinated in the cit plan hereto appended and henceforth to occupy the same as a site for the 'Fill in as the new may be erection of buildings, and henceforth to hold and
free of rent but or subject enjoy the same and any buildings erected by them
thereonf subject to the conditions set forth in the anneance for better
2 The Lesses (c) herebycovenant (c) with the Secretary of State that the Strike out words to bracket. Lesses shall and will (duly pay the said rent in the it cornels payable manner provided in the auneance hereto and)
observe alland every the conditions herembefore referred to and on their part to be
observed
Signed, Sealed and Delivered by the Officer Commanding the
Drisson acting in the premises for and on behalf of the Secretary of State for India in Connell in the presence of
The common seal of the
was hereto affixed in the presence of
Signed, Sealed and Delivered by the above-
presence of
* Copies of the Form, with the annexure, will be obtainable gratic as explication to the Castonment Magnifunds.

The Cantonhunt Code, 1912
SCHEDULE VI
(SIE SECTION 284)
FORM A\*

(Form of Lease to be executed an easte of land applied for by a Railway Company
or for the purpose of erecting a haspidal, school or other public building)

Whereas the Lessee (e)  $\frac{has}{have}$  applied for permission to occupy, for the purposes of a hulding site the land belonging to the Government in the

. \*\*\* ~\*

mu, r > 4 - - - 2 44-

Shall incinde their successors and sengue) of the churt part

## SCHEDULE VI-contd

### AFREXUES TO FORM A

#### Conditions

Cour, 1924, may, by order in writing, allow

Co-difion II.—(1) The said buildings shall be erected in accordance with the Erection of buildings particulars specified in the Lessee (s), application under sections 261 and 265 at the said Cantonment

(2) Any such permission may be made subject to any conditions which may be agreed upon between such anthority and the Lessee (s)

Cendition III -The land shall not be used for any purposes other.

We of land and malutenance of boldings in the Lessee (s) of boldings.

the buildings erected on the land as absolutely to prevent their being wided always that if the seld buildings

who district the serificial state of the destroyed by earthquist, first, cyclene or other set of Odd or shall be so injured thereby as to reader them unds for the purposes above specified then and in such case be Lesses (c) shall mithin an exclusion months from such destruction or injury as aforesaid commence to rebuild the same and shall enterest the tension of the commence of t

In ne such case shall the Leusee (s) ha use as aforesaid within a shorter period date of such destruction or injury.

Condition III (4)—The Lessee (2) shall pay the said yearly rent of Rs by equel mouthly matchalments of Rs is rent free

the continuance of this demise for the month immediately preceding

Condition IF.—(1) Whenever the Lesses (2) initend (3) to transfer by

Fower to veto transfer of Lessess interest and of gift, mortgage or exchange that
the entialn cases.

Interest in the land or in the huildings

erected on the land or in any part of the land or buildings the er the intended transferre shall give the Caulonment Maguetrato one month's notice in writing before the transferre is completed

(2) The Officer Cemmer period of one month and with by order in writing his ve Cantonment Authority cons exercised, it shall report the

(3) If notice of any such transfer is not given as aforesaid or if any such transfer is made after the same has been vetoed the transfer shell be veld

#### SCHEDULE VI-enstd

Condition F -- Every person on whom the Lesses (s) interest in the land or in the bandlenge erected on the lend may derolde the tend of such devotation are the strength of law shall send in the Contomment Authority within one mouth from the date of such devotations a report in writing of the fact together

month from the date of such devolutions a report in writing of the fact together with such particulars as may be required by that Authority for entry in the register maintained under section 271 m 272 as the case may be of the Contonment Code, 1912

Conditions II-(1) If the Lessee ()  $\frac{doe}{ds}$  not commence or complete as required by Condition 1 the buildings to be erected on the Condition 1 or Condition 1.

which the may have erected or collected thereton and if  $\frac{1}{16}$  for l(z) to comply with such notice the Captanment Authority may after giving  $\frac{1}{16}$  mix hours' further notice to writing cause such removal to be effected and recover the cost from  $\frac{1}{16}$  and may also councel the least

(2) If the Lesses (s) exect (s) any building or make (s) any alteration up addition otherwise than as allowed by or under Condition II the Cantonment Anthority may, by notice in writing, require the formouse the building or to alter the same to its satisfaction and if the fail (s) to comply with such notices of the Cautonment Anthority, may after giving the six boars' further notice in writing

cause such removal or alteration to be sflected and recover the cost from them.

Cosalition VII - (1) So loog as the Lesses (s) shall duly (pay the said rector of and other conditions between the conditions of the conditions and on the conditions of the conditions are conditions.

Condition IX hold the land for ever without interruption by the Secretary of State

(2) If the Lerses (s) shall [fail to pay the said\* rent of Es for 21 days after the same shall become due or shall] in the atmested to the said buildings being drattored in struck out if the land is rent free erent of the said buildings being drattored in signered by earthquakr, fire, cyclons or other injured by earthquakr, fire, cyclons or other

n reinstate the same within such period because for a bereinbefore specified

other then Condition I or Condition II and an inhigh part to be observed the Local Government may after giving one month's notice in writing resums possession of the land or any port of the terminal to the Lesses (a) in the declare all or any part of the sight set indirect of the Lesses (a) in the

buildings erected on the land to be forfested

Condition FIII—The Lesses (s) shall not be entitled to compensation
for any loss incrarred by reason of anything
does in personner of Condition VI or Condition
VII clause (2)

Condition II —The Local Gurenment may return possession of the Right of the Germonett is said land or any portion thereof at any time sponrenum the land on payment giving one calcular month's previous notice in of conpensation by buildings of severang in that behalf is the Losse (i) under the hand of some drifty authorise effects on the properties of the land of which properties of the land of the

#### SCHEDULE VI-contd

Arbitration which shall be constituted as provided in Chapter XX of the Cento ment Code, 1912, and the Lessee (s) shall be bound by the decision of such Committee In calculating the amount of such compensation there shall he teken into account the following -

- (i) The original cost of materials and construction
- (1s) The condition of the buildings and their value at the date of resumption
- (111) The rent or profit (if any) or the equivalent which the I cased may receive or enjoy from the use of the buildings or on account thereof.
- (10) The period within which the buildings would become the property of Coveroment without payment of any compensation to the Lessee

The Lesses shall not at any time during the said term remove the buildings erected on the said land or any part thereof nor make any structural alteration thereof or addition thereto without the like written permission as is mentioned in Condition II hercof

#### FORM R \*

#### (See Section 264)

(Form of lease for an indefinite term to be executed in cases of extensions of existing sites, or where it is desired to regularize existing grants, or in other exceptional cases where the grant of leases in forms A. C and D is not zustable)

This indenture, made the

., .

one part, and

day of

Between the Secretary of State for India in Council (hereafter called the Secretary of State which expression where the context so admits shall include his successors in office and assigns), of the

son of

nf theremafter called the Lessee which expression where the context so admits shall include his heirs, executors, administrators and ars gus), of the other part

1 .... 11

And whereas the said application has received the sanction of the Officer Commanding the Division :

Now this Indenture Witneseth as follows

I. The Secretary of State doth hereby grant unto the Lessee liberty and License to enter into and upon the piece or parcel of land delineated in the site plan bereto appended, and to occupy the same as a site for the

erection of huildings and henceforth to hold and t Fill to set he case may be. for erection of huildings and henceforth to hold and of root but or a surject to the enjoy the same and any buildings erected by him payment of the payment of the conditions set forth subject to the conditions set forth in the sunexure hereto

<sup>.</sup> Copies of this Form and appeader can be obtained gratis on application to the Cantonment Magistrate,

#### SCHEDULE VI-contd

2 The Leases doth hereby covenant with the Secretary of State that the Leases shall and will duly [apsy the said rent in the manner provided in the annexure hereto and ] observe all and every the conditions "The wordein brackets to be omit herembefore referred to and on his part to be ted, if the land is reut free cheers od.

† In Witness whereof the said parties hereto have hereunto set their hands and

4. Then the porture service on some rate dotes on the words. In the day seals the day and year first above written and the year first above written and add the date below the says tower The lett of each dates will be extend to the commencement on the

Signed, scaled and delivered by the

day of making the indenture Officer Commanding the

Division, acting in the premises for and on behalf

of the Secretary of State for India in Council.

in the presence of

Signed, scaled and delivered by the above-named

in the presence of

#### ANNEXURE TO FORM B

#### Conditions

#### In these conditions

(a) ' b

be final

- (b) the expression' repairs" to house shall be decired to include such repairs as are usually made in the neighbourhood to buildings of the same class as that to which the house belongs, but does not include add tions, improvements or alterations except in at far at they are necessary to carry out such repairs as aforesaid or have been made with the Leave's consent;
- (c) "military officer" means a comm assumed or warrant officer of the army on unhitary duty in the cautonment, and meludes a chaplant, a cantonment mag strate and any person in army departmental employment whom the General Officer of the Command may, for the purposes of these Cond tions, place on the same footing as a military officers and
- (d) "civil officer" means a garetted civil officer of the Government, and includes any other person in the service of the Government, not being a military off vr, wh mathe Local Government may for the purposes of these tond twos, place on the same fort ng as a civil officer

#### SCHEDULE VI-contd

Consistent I —The buildings in be created on the land shall be commenced within Commencement and completes are morely from the accession of the lease, and shall consider the land of bearings and the completed within the period specified in the note such farther period (if any) as the authority which sentenced the application under the hope XXI of the Contoment Code, 1912, may, by order in wining the contomers and the contomers are contomers.

Condition II.—(1) \*\*\*
Erection of buildings

the plans and documen hereto or where a propos

berewith then in accordance with such further or other particulars as may be permitted in writing by the authority which sanctioned the application under Chapter XXI of the said Code

11 13 . . 2 41

(2) Any such permission may be given embject to any conditions which may be agreed upon hetween such authority and the Lessee

Condition III — The land shall not be used for any purpose other than those part of buildings specified in the Lessels application under serior of buildings and maintenance 261 clause (A), of the Cantonneal Code 1912, nor to fall into such a state as shouldly to prevent their heing used for the purposes to specified

Promided always that if the each buildings or any part thereof shall as any time he destinyed by earthquake, fire, cyclone or other set of God or shell ha son in our or injury or injury.

or injury fit for use after the ing the the Lessee be

by equal mouthly metalm

. This clause to be struck o

the land is rent free dietely preceding

Condition II — (1) Whenever the Lesses intends to transfer, by sale gift, mortique, or exchange is unterest in the land of in Desart is settled in the buildings exceted on the land or in any part of the land or buildings, he or the isotrodistinusters, shall give the Cantonnent Mag strain one month's notice in writing before the transfer is completed.

(3) The Officer Commanding the Drivion shall have power, within the said period of one month, by order in writing, cantonnent auth rity

be exercised, it shall without delay

(3) If notice of any such transfer is not given as aforesaid, or if noy such transfer is made after the same his been retool the transfer shall be rold

Coadilon F' - Every person on whom the Lessee's interest in the land, or in the hall lungs exceed on the land may devolve by transfer by successon or by operation of law, shall

#### The Concernment Onder 2722.

#### STRONG TI-route

Bight of the Lovernment to patem in are militare or c'ell officet.

Conde on TI-It e Green must reserve a right. The of Jourge may or Lamons I can tilme att at the fan propriate the home at any time for averyarionly my military affire at each off ve

Agreement to tagair to be carcuted when home is let to are person other than a pullber or

Consider TIL—If the Lower lets the house to any preser other than a recommend to assert to be care. If they office of (If the house has been not area.) of an isomer wit I mustante die entitance at erilations) a eril after, present at the hope

- civL officer. -दिवास साम ३ इ.६ शवद जिल्ली-(a) and bean per exected a stamped account trade trible to same the Louise whenever regard so to do in pursuance of a notice round indice.

  Condition VIII or Condition I without elaboration and compensation, and has recatived such acrossors and tabeless for the time buse in free
  - relating to the regression of diverging and (1) the Lessee has " www-ced an actioned every e" an har remoral to the cantransat eathery

Condition FIII - Whenever the cartemper's arthur or own hers that the each t of metal to Caller II shall be exposed to be Appropriation of Sense for a half of any military offers I may, if the home is millar officer, where it is not til her my to rest us of begann street but ל חוי לתי ) לו א שרעל - מים מ' זישים וא ביאל זים צבל -ನಿನ್ನಲ್ಲಿ ಈ ನೀಡ ಸಿಕ್ಕೆ ಸಿಲಾಮಿನಿ ದೀವ ಸಿಕ್ಕೆ ಪಂದಿತಭಾನಿಯ ಪ್ರಾ

או די לוחוצה דיבי ביבי הוצים שבים משל של יון ובייבי ביבי ביבים (ם) DODGE, 101

(I) require the existing tenant (if any) to varie the same.

Condition II -If the brase is compact by a departmental by tary effects and the extremet authority narries all her Approvate of bone for a mainty officer where it is occu-ped by another mainty office. met mered to the tree it shall be over all in behalf of a memerial care, se our word, it may by may in winting, mysim the effect to

occuration to recate the brase, and may, if necessary, by further notice in a rating, require the Levere to accept the chazer of teraper Condition X—(1) The candiument authority may, at any time, with the previous exactly of the Office Commanding the concentration of home by Passion given with the concentration of the Local

Appropriate of these for Gorernment, set spart the have I recognition by erril officers.

(2) If the house has been so set spart, the arrangement all all not be reached without the concurrence of the Local Government

(3) If, while the house is so set apart, the cant uncert authority at any time considers that the right reserved by Condition 11 should be exercised in behalf of any civil officer, it may, if the house is not already eccup of by a civil of cer, by notice in writing.

(a) require the Lesses to let the bouse to the swil offer ramed in the notice.

(3) require the existing tenant (if any) to racate the same.

Condition XI.-(1) Whenever a military officer or a civil officer considers that a potice should be issued to his behalf under Cond . Procedure to be observed betion VIII. Cond tien IX or Contitin A, he nar fore appropriating house. request (in the case of a regimental effer) the ( . m. manding Officer of his regiment, or (in the case of a departmental military of cer) the local head of h s department, or (in the case of a civil of cer) the Pistrict Magie trate, to make an application to that effect to the Cantonmer t authority,

(a) that the officer ought to reside in the santonnest, and
(b) that the circumstances are such as to require its intersertion, and

(c) that the rent offered by the offerer f r the Lone is restoral le, and

#### SCHEDULF VI-contd

- (d) If the bouse is vacant, that it is sortable for the residence of the officer.
- (e) if the house is occupied, that it is suitable for the residence of the officer and that there is no vacant house in the cantonment which is emitable for his residence.

Explanation -In cons dering whether a house is suitable for the residence of an officer, regard shall be had to (s) the locality in which his duties chiefly lie and (ti) his rank

Sanction to be obtained before fours is occupied as a be pital, benk, bets! stop or school or by a railway administration

**n** •

Condition XII -(I) The boose shall not be occup ed for the purposes of a hospital bank, hotel, shop or school, or hy e rails ay administration without the previous written sauction of the Officer Commanding the Division, given with the concurrence of the local Govern ment

- (n) cause any difficulty is obtaining accommodation in the cantonment, or in the part of the cantonment in which the house is situate, for military officers or civil officers, or
- (b) necessitate the acquaition of land at some foture time for the extens on of the cantonment.

House not to be appropriated for military or civil officer if it is accupied with sanction as a beep ital bank, botal shop or achool or by a railway administration or is otherwise appropriated by the Government

Condition XIII -Ne notice shall be issued under Condition VIII or Condition X if the Louise-

- (a) is occupied, with the sanction required by Condition XII, as a hospital, bank, hotel, shop or achool, and has been so occupied continuously during the three years immediately preceding the time when the occasion for issuing the notice arises, or
- (b) is occupied, with the sanc'ion aforesaid, by a railway administration, or
- (c) is appropriated by the Local Government, with the concurrence of the Officer Commanding the Division or by the Governor-General in Council, for use as a public office or for any other purpose

Condition XII' .- Every notice to the Lessee Issued under Condition VIII. Condition IX or Condition A, shall state the amount of monthly reat which the proposed tenant offers to pay for the bouse Rent offered to be stated in notice to Leasee

Time to be slowed for giving then VIII or Condition X may require the Lessee to good possession of boast Condition AV .- (1) If the house is moccupied, any notice issued under Coudipossession of bonse gas possession of the same to the proposed tenant within four days from the service of the notice

(2) If the bouse is occupied, no such notice as aforesaid shall require its vacation in less than thirty days from the service of the notice

Condition XFI-(i) Subject to the terms of any agreement in writing be Tarme of teamy applicable tween the Leasee and a military officer or a civil officer, to military and civil officers and to the terms of this condition every lease of the house to such an officer shall be deemed to be a lease from menth to month, termin

- (a) without notice in the case of the departure of the officer from the cantonment on duty or under medical certificate or in the case of a com mittee of arbitration deciding that the house has become unfit for occu-
- (A) by one menth's notice in writing to the Lesses in any other case,

#### SCHEDULE VI-contd.

(2) A notice under clause (I) of this condition must be signed by or on behalf of the officer concerned; and the Cantonment Magnetrate shell, if the officer so desires, cause it to be served on this Lesses free of charge.

Provided that the sum shall not in any case, he less than one fourth of the monthly rent,

Condition XPII - If any tenant of the house, being a military officer or a civil
Sab-lease vaidable at option officer, sob lets the same without the consent of the
Lessee, the sah lesse (shall be voidable at the option
of the Lessee

Condition XVIII -(1) If the Lessee considers that any rent offered by p

(2) If the Lessee does not make such a requisition within the said period, he shall be deemed to have accepted the rent so offered.

(3) After such acceptance or the decision of a committee of arbitration, the amount of such rent shell not be called in question by either party except in the circumstances mentioned in clause (a) of Condition XXI

Condition ZIZ-(1) If the Lessee falls to execute any repairs to the house

Condition XX—If any tensor of the bons, heng a military or civil officer.

Yours of tensat to apply for reference to selectrica on question whether house has become unit for occupation, he may apply to the Commanding Officer of the candoment to refer the matter to a committee of arbitration.

numb for occupation.

Condition XXI - if the Lessee and any tenant of the house, heing a Fourt of either Lessee to arbitrarily or reference to arbitrarily on the first and to apply for reference to arbitrarily on other questions.

(a) as to any charge in the rent of tha house which is proposed to consequence of disputations or additions to buildings or for any other similar reason, or

(b) on any matter relating to reot or repairs, other than a matter referred to in clause (a) of this Condition or in Condition XVIII, Condition XIX or Condition XX.

either the Lessee or the tenent may apply to the Commanding Officer of the cantonment to refer the matter to a committee of arbitration.

Condition XXII.—Whenever any matter a referred to a committee of arbitration in purvaence of Condition XVIII, Condition arbitration; it decision to be XIX, Condition XX or Condition XXI, the Commitbinding on Lessee and his tetals.

his tenant shall be bound by the decision of the committee.

#### The Cantonment Code, 1912.

#### SCHEDULE VI-conta

Condition XXIII -If the Lessee fails to comply with any notice issued under clause (1) of Cond tion XIX and has not, with-Right of tenant to execute re pairs and deduct cost from part in fifteen days from the service of such notice required that the matter be referred to a committee of arbitration, or

Tf ann ...... +440 af and 4- 4 of the Cantonto which they

a period to be

the tenant of the house may himself cause the repairs specified in the notice to be executed at rates not exceeding those paid in the cantonment by the Military Works Department or the Public Works Department, and may deduct the cost thereof from the rent, or otherwise recover it from the Lessee

Condition XXIV -(1) If the Lessee does not commence or complete, us Procedure on breach of Condi on the land, the cantonment authority may, by tion I or Condition II if he lum COYCE

(2) If the Lesses spects any building or makes may alteration or addition otherwise than as allowed by or under Condition II, the cantonment authority may,

Condition XXV .- (1) So leng as the Lessee shall \* [duly pay the eard rant of rupees and observe the conditions here inbefore specified and on his part to be observed, he may subject to Condition X VII, hold the land for Perfeiture for breach of any ather condition
The words in brackets to be omlited if the in id is rent free ever without intercuption by the Secretary of State

(2) If the Lesses shall + † The words in bruckets to be omitted if the land is rent free

> tate the same fit for period as therein

· bound by the decision of the

Condition XXVI .- The Lessee shall not be entitled to compensation for any loss incurred by reason of soything done in pur Claims to competization barred. sunnce of Condition XXIV or Condition XXV, clause (2)

Condition XXPII .- The Local Government may resume the land or any Right of the Government to portion thereof at any time after giving one month a Right of the stand or system to response to the stand or system to t the same shall be referred to a . .. . ,-"I provuled in Chapter XX of

#### SCHEDULE VI-contd

## FORM C.

## (See Section 264)

## (Form of Lezze for a term of years)

This Indextural made the day of Letween the Secretary of State for India no Conceil (here nafter called the Secretary of State who expression where the context so admits shall include his successors in office and savigns) of the one part and

#### son of

of thereinafter called the Lessee which expression where the contest so admits shall include his beirs, executors administrators and assigni) of the other part Whereas the I essee has applied for permission to occupy for the purpose of a histogram of the contest of the purpose of a histogram of the purpose of the contest of the purpose of the purpos

1 The Secretary of State doth hereby grant and the Lessee liberty and license to enter it of and upon the piece or parcet of had delivated in the site plan hereto appended and beneforth to occupy the same as a site for the erection of bindings and henceforth to hold and cupy the same and any bindings erected by him

\*Fill in as the case may be
\*Free of rent but or subject
to the payment of the perior
rent of Es. and

thereon t subject to the conditions set forth in the annexage hereto

2 The Lessee doth hereby coreanst with the Secretary of State that the Lessee shall and will [day pay the said rent in rest is people to the manuer provided in the anneure hereto and] observe all and every the conditions heretobefore referred to and on his part to be observed.

When the parties execute on separate daise omit the words 'fits day and year fort shows writine " and add the daise below the signatures. The lest of such dates will be sured in the sommencement as the day of making the Indeature.

In witness whereof the said parties hereto have hereunto set their lands and reats the day and year first above written.

Signed, Sealed and Delivered by the Officer Commanding the Dissuos acting in the primers for and on behalf of the Secretary of State for Inda in Counc in the presence of

Signed, Scaled and Delivered by the abovenamed

in the presence of

<sup>\*</sup> Copies of this Form, with the anserure will be obtained by grain on application to the Contomoral Marietrate

# ANNEXUE TO FORM C

#### Conditions

Condition I —The buildings to be stretced in the land shall be commerced commercement and comple- within summation from the execution of the least two of buildings and aball be completed within the period specified in not endoared on such plan or within such further pend (of any) as the authority which esnettened the application under Chapter XXI of the Continuent Code, 1912, may, by order in writing, allow.

Condition II — (1) The said buildings shall be erected in secondance with the Erection of brildings sections 261 and 262 of the said Cantenment Code and the plans and documents accompanying the same and the site jian appended

literation or addition is not in accordance further or other particulars as may be which startinged the application under

(2) Any such permission may be made subject to any conditions which may be

agreed upon between such authority and the Leasee

then under section
the Code, 1912, nor
16to such a state
2-pecified, provided
time be destroyed
noved thereby as

te render them unfit for the purposes above specified them and in such case the

that in me such case shall the Lessee be required to reinstata the same fit for use as aforesaid within a shorter period then twelve calendar months from the date of

such destruction or injury

Condition III (n) --The Lesses shall pay the said yearly rent of its
This clause to be street out if by equal mouthly instalments of its

nul

This clause to be strock out if by equal monthly restalments of Re and the land is rest free the said instalments shall be paid on its fifteenth day of every month during the continuance of this demise for the month immodiately preceding

Condition IF - (1) Whenever the Lesses intends to transfer by sale, gill, personal reducted Lesses a mortgage, or exchange his interest is the land or interest in creation cares.

In the buildings sected on the land or in any part of the land or to any part of the land or buildings be or the untended transferee shall gire the Cantonment Magatrate one mouth's notice in a writing before the transfer is completed

(3) If notice of any such transfer is not given as aforesaid, or if any transier is made after the same has been vetoed the transfer shall be void.

Condition F — Every person on whom the Lenne's interest in the land on preport of evolution of Lenney, in the buildings exceed on the land, may describe interest. The land of the land is the land is the land is the land is the land in the land is the land in the land is the land is

#### SCHI-DULE VI-contd.

Constition VI--(1) If the Lesse does not commone or complete as required Procedure the such of Condition I the buildings to be treated on the time I or Condition II.

In and the Cactonment Authority may by notice in which the may have srected or collected thereon; and if he fails to comply with such notice the Cautonment Authority may, after giving him a a bours further notice in writing, cames such removal to be effected and recover the cost from him, and may also

cancel the lease o addition
all Anthonity
viter the same of Cantonness of the same of the

omitted if the land is rent-tree of years computed from the day of without interruption by the Sectetary of State.

(2) At the expiry of the sed term of years the lessee may be granted a renewal of the lesse for a further period of years, it is bettered that the lesse shall not be renewal, and the period thereof to be at the discretion of the Gereral Officer Commanding the Division

(3) If the Lessee shell find to pay thet said rent of Rs for 21 for words in bractise to be days after the same shall become doe or hall streak out it all helds bractise; the erect of the said buildings being destroyed or impored by earthquake, fire, eyelone, or other act of God fast to commente rebuilding

The first section of the section of

Condition VIII - The Lesse shall not be entitled to compensation for any loss incurred by reason of any thing done in par-barred.

Land and behinder to be city "Gondries IX—(1) At the separation of the and version as and of the results of years the Leaves shall drive up to the Government to result land of years the Leaves shall drive up to the Government to result land of the property of the control of the property of the propert

ctass (2) is to be set.

(2) If a the cappy of the said term of years the General Officer
To be struct as about its followed that the lines is built be abouted; terminable at the set of the tast evode and the tails of the tast evode and the tails of the tast evode and the tails leap as to live to divince the compensation where the evode is all configurations for the evode and the tails of the compensation where the evode is all conditions in the demands together with all erections and buildings which may be standing thereon an appearant of evodermentation for many contractions.

the same

Provided always that the Local Government may, at any time prior to the expiration of the said term resume possesson of the said land or any portion thereof upon giving one calendar months introduce netice in wer my in that tehalf

#### SCHEDULE VI-contd

amount of such compensation the same sight of and to be broken to

- (1) The original cost of materials and construction.
- (ii) The condition of the hulldings and their value at the date of resumption
  - (in) The rent or profit (if any) or the equivalent which the Lesses may receive or enjoy from the use of the buildings or on account thereof.
  - (iv) The period within which the haddings would become the property of Government without payment of any compensation to the Lessee

The Lesses shall not at any time during the said term, remove the hulldings erceled on the said lead or say part thereof nor make any structural alteration thereof or addition thereto without the like written permission as is mentioned in Candition III hereof

#### FORM D.

#### (SEE SECTION 264) "

(Form of lease to be executed in all cases other than those for which Forme A,

B and C are prescribed)

This Indenture made the day

day of

State for India in Council (heremafter called the Secretary of State which expression where the context so admits shall include his successors in effice and assigns) of the one part and

son of of

(hereinafter called the Lessee which expression where the context so admits shall include his heirs, executors, administrators representatives and

B.

Now this Indenture witnesseth as follows -

1 The Secretary of State doth hereby grant unto the Lessee therety and the site plan buildings on and any

o the payment of the yearly read hereto-

the ennexure

<sup>&</sup>quot;Copies of this Form with the summare will be obtainable graffs on application to the

SCHEDULE VI-coafd. 2. The Lesses doth hereby cerement with the Secretary of State that the

Strike out words to brackets if const out words in brackets if no rent perabls.

When the parties execute on separate dates omit the words the day and year first sever written. and sed the dates pelow the signatures. The last of such dates will be entered in

the commencement as the day of making the Indenture. Signed, Sealed and Delivered by the Officer Commanding the

acting in the premises for and on behalf of the Sceretary of State for India in Council in the presence of

bigned, Scaled and Delivered by the abovanamed in the presence of

Lessee shall and will duly [pay the said rent in the manner pravided in the annennre hereto and] observe all and every the conditions hereinbefore referred to and on his part to be observed. In B'stargs whereof the said parties hereto have hereunto set their hends and scale the day and year first above written -

#### ANNEXERS TO FORM D

Decision

Conditions In these conditions 1-(a) "house" means the house erected on the land occupied by the

es alight ha dosmodites "malada anal (3) ..

Condition I .- The buildings to be erected on the land shall be [commenced within six months from the execution of the lease. and shall be completed within the period specified Commencement and complein the note indersed on such plan ar within such further period (if any) as the authority which sanctioned the application under Chapter XXI of the Cantonment Code, 1912, may, by order in writing, allow,

#### The Contonment Cods, 1912

#### SCHEDULE VI-contd

(2) Any such permission may be given subject to any conditions which may be agreed upon between such authority and the Lessen

Coadston III — The land shell not be used for any purposes other than those specified in the Lessee's application under section

Use of land and maintenance of buildings

speciated in the Lessee's application under section 261, clause (d) of the Cartoment Code, 1912, nor shall the buildings erected on the land ha permitted to fall into such a state as absolutely to prevent

Provided always that if the said buildings or any part thereof shall say timo he destroyed by esthquako, fire, cyclone or other act of God or shall

outer two cattle sums make trees so unstroyed or injured as alterests as to the Officer Commanding the Darsson shell seem fit. Proceeded secretibeless that in no such case shall the Lesses he required to remarke the same fit for one as a aforesand to the command of the comman

Condition III (A) —The Lesses shall pay the said yearly reut of Re

This clause to be struck out if and the and installments shell be paid on the 15th day of every mouth during the continuance of this demise for the mouth immediately preceding

Condition IF (1)—Whenever the Lesses intends to transfer by sale, gift,
Fours to went transfer of
Lesses internal to certain case
aball give the Cautonment Megistrate on month's not or by saring the form of the land or buildings he or the intended transfers
aball give the Cautonment Megistrate one month's not or by writing before the

transfer is completed.

(2) The Officer Commending the Division shall have power within the said.

dolay.

(3) If notice of any such transfer is not given as aforemed or if any such transfer is made after the same has been vetoed the transfer shall be void

Condition F - Every person on whom the Lessee's interest in this lend or in Report of devication of Lesses is interest, the state of the buildings referred on this land may devolve by transfer, by succession or by uperation of law, while said to the Cautement Authoring within one with such particulars as may be required by that subtoinfy within one who will be considered by the subtointy for entry in the

register maintained under section 271 or section 272 as the case may be, of the Cantonium Code, 1912.

Coadinion FI — The Secretary of Stato reserves a right subject to the conditions Picks of the Community to be condition to a propriate the house at

Fight of the Government to appropriate the house at any time for occupation by any military officer or cut with the confidence of the conf

Condution FII—If the Lesree lefs the bonce to any person other than a Arrament to result to be extended when bonce is it to say person other than a military or conducting the conduction of the bonce cuit officer.

(a) such person has executed a stamped agreement undertaking to vasue the house whenever required so to do in pursuance of a notice issued under Condition VIII or Condition X without claiming any

#### SCHEDULE VIctoria

compensation and has registered such agreement under the law for the time being in force relating to the registration of doenmenta and

(6) the Lease has forwarded an attested copy of such agreement to the Contoument Authority.

Appropriation of house for a military officer where is is not already occupied by a military officer

Condition VIII .- Whenever the Cantonment Authority considers that the right reserved by Candition VI should be exercised on behalf of any military officer, it may if the house is not already occup ed by a military officer and if at has not been set spart in accordance with Condition X for occupation by civil officers by notice in writing-

- (n) require the Lessee to let the house in the military officer named in the notice and
- (b) require the existing tenant (if any) to vacate the same

Condition IX -If the house is occupied by a departmental mulitary officer and the Contement Authority counters that the Appropriation of bours for a military officer where it is occupied by another military right reserved by Condition VI should be exercised in behalf of a regimental officer, or vice cered it may, by notice in writing, require the officer in

occupation to vacate the house . and may, if necessary, by farther notice in writing, require the Lesses to accept the change of tenancy

Appropriation of house for sirilofficars.

Coedition X -(1) The Cantonment Authority may, et any time, with the previous seation of the Officer Commanding the continuous for Division, given with the concurrence of the Local Division, given with the concurrence of the Local Government, set spart the house for occupation by

(2) If the house has been so set apart, the arrangement shall not be revoked without the concurrence of the Local Government

(3) If, while the house is so set spart, the Cantonment Authority at any time considers that the right reserved by Condition VI should be exercised in behalf of any civil officer, it may, if the house is not already occupied by a civil officer, or notice in writing-

(a) require the Lessee to let the house to the civil officer named in the notice, and

. \* 4 41 per main and acquire maintaining

Pro. appropriating couse

appropriating couse may request (in the case of a regimental officer) the commanding officer of his regiment or (in the case of a departmental military officer) the local head of his department or (in the case of a civil officer) the District Magnitists to make an application to that effect to the Cantonment Authority (2) On receipt of any such application the Cantonment Authority shall

inquire into the case, and it shall not assue the notice unless it is satisfied-

- (a) that the officer ought to reside in the Cantonment, and
  - (b) that the circumstances are such as to require its intervention, and (c) that the rent offered by the afficer for the house is resionable, and
- (d) if the bonse is vacant, that it is enitable for the residence of the officer, and
  - (a) if the house is occupied, that it as amitable for the residence of the officer, and that there as no vacant house in the Cantonment which is suitable for his residence

#### SCHEDILF VI-contd

Explanation —In considering whether a house is suitable for the residence of an efficier regard shall be had in (1) the locality in which his duties chiefly lie, and (1) his rank

Condition XII -(1) "

Esuction to be obtailed befor house is occupied as a hospital bank botel shop or reheal of bearallway administration

- (2) Before application is made for anch sanction the Commanding Officer of the Canterment shall certify whether or not in his opinion the number of hooses in the Cantenment as compared with the strength of the existing or probable garrisor, redders it bliefy that such ecceptation as aforesaid would—
  - (n) cause any difficulty in obtaining accommodation in the Cantonment, or in the part of the Cantonment in which the house is situate, for military officers or civil officers, or
  - (b) necessitate the acquisition of land at some future time for the extension of the Cautonment

Home not to be appropriated for not large of civil officer if the cortical with smoothing as a compilar bank smooth, shape of condition \( \) if the homeometrial car is otherwise appropriated by the Geromonal

- (a) is occupied with the sanction required by Condition VII as a hospital, hank, hotel, slop or school and has been so occupied continuously during the three years immediately preceding the time when the noces ston for issuing the notice arises, or
- (b) is occupied, with the eauction aforesaid by a Bailway administration,
- (c) isappropriated by the Local Government with the concurrence of the Officer Commanding the Division or by the Governor-General in Council, for use as a public office or for any other purpose

Condition XIV — Erety notice to the Lessee issued under Condition VIII,

Reat offered to be stated in notice to lesses

Condition IN or Condition X shall state the amount of monthly rent which the proposed tenant offers to pay for the house

(2) If the house is occupied, no such notice as aforces: I shall require its exaction is less than thirty days from service of the notice

Condition XVI —(i) Subject to the terms of any agreement in writing civil letween the target of the terms of the terms of the civil length of the terms of the te

- (a) without notice in the case of the departure of the officer from the Cantonment on duty or under medical certificate or in the case of a Committee of Arbitration deciding that the house has become un fit for occupation, or
- (i) by one month's not ce in writing to the Lesses in any other case
- (2) An tice under clause (1) of this condition must be signed by or on behalf of the officer concernel, and the Cantonwest Magistria shall, if the officer so delive, cause it to be served on the 1 case free of charge

#### SCHEDULE VI-contd

(3) When a military officer or a civil officer has, in pursuance of clause (1) of this condition, g --occupied the house c

occupation ceased.

the same proportion - -

Provided that the equa shall and in any case he less than one fourth of the monthly reat. Condition XVII - If any tenant of the house, being a resultary officer or a

civil officer, sublets the same without the consent of Sub-lesse voldable at action of the Lessee, the sub lesse shall be voidable at the option of the Lease.

Right of Leseco to regalite reference to arbitration on quarties of rept

Condition XVIII -(1) If the Lesser considers that any rent offered by a proposed tenant and stated in a notice in accordance with Condition VIV is insufficient, he may, within a period of fifteen days from the service of such not ce, require that the matter be referred by the

Commanding Officer of the Cantonment to a Commettee of Arbitration (2) If the Lessee does not make such a requisition within the said period, he shall be deemed to have accepted the rent so offered

(3) After such acceptance of the decision of a Committee of Arbitration, the amount of such rent shall not be called in question by either party except in the circumstances mentioned in clouse (a) of Condition XAL

Bight of Lesses to require tipe of repairs

Condition XIX .- (1) If the Lessee feels to execute any repeirs to the house which any tensor, being a military or civil officer, may consider necessary, the Cantonment Authority may at the request of the tenant and if it is satisfied that such repairs or any of them ere necessary, by notice in writing, require the Lesses to execute such repairs or such of them as it

ang Officer of the Contonment to refer the matter

may consider a coessary within a period not less than fifteen days to be specified in the notice (2) If the Lesses objects to comply with any notice issued under clause (1) of

this condition he may within fifteen days from the service of the notice, require that the matter ha referred by the Commanding Officer of the Cantonment to a Committee of Arbitration

Condition XX-II any tenant of the house, being a military or civil officer considers that his leave should be terminable without Power of tenan to apply for reference to arbitration on ques-tion whether bouse has become unfit for occupation notice to consequence of the house having becom untit for occupation he may apply to the Command

to a Committee of Arbitration Condition XXI -If the Lesses and any tenant of the house, being a military or civil officer, dieagree-

Power of either Leaves or tenant to apply for reference to arbitration on other questions.

- (a) as to any change in the rent of the bonse which se proposed in consequence of dilagidations or additions to buildings or for any other eimilar reason, ar
- (b) on any matter relating to rent or repoirs other than a metter referred to in clause (a) of this Condition or in Condition XVIII Condition XIX or Condition XX

Either the Desce or the ferant may apply to the Commanding Officer of the Cantonment to refer the matter to a Committee of Arbitration

Condition XXII .- Whenever any matter is referred to a Committee of Constitution of Committee of Arbitration an pursuance of Condition XVIII.
chiration, its decision to be Condition XIX, Condition XX or Condition XXI. Arbitration, its decision to be Condition A.A. Condition A.I. or Condition XII, binding on Leaves and his tenant, the Committee shall be constituted as provided

#### SCHEDULE VI-contd

on Chapter XX of the Cantonment Code, 1912, and the Lessee and his tenant shall be bound by the decision of the Committee

Condition XXIII — If the Lesses fails to comply with any notice issued Robert of tenant to execute repairs and defeate coast row within fifteen days from the service of son holice, required that the matter be referred to a Committee of Arbitrathop, or

If any Committee of Arbitratina constituted under Chapter XX of the Cantonnest Code, 1914, decades that repairs are necessary and the street to which they are necessary and the Lessen fails to execute such repairs within a period to be specified in a notice issued by the Cantonnest Authority in that behalf, the tenant of the human may himself cases the repairs apscribed in the bottee the Lessenth and the street of the control of the properties of the control of the Capter and the Capter Code of the Capter and the Capter Code of the Capter Lessenth and the Capter Capter

Condition XXIV—[1] If the Lessee does not commence or complete as regarded by Condition I the bindings to be cretted Procedures on breach of Cordi on the land, the Candonment Authority may, by the condition is under the condition of the fails of the land, the Candonment Authority may, but any house prepare him to remove all or any hindings or materials which he may have creted or collected thereon, after gring him an houre! further notice in writing, cause onch removal to be effected and revover the cost from him and may also cantel the lesses

(2) If the Lessee erects any building or makes any alleration or addition therease than a sallowed by or under Condition II, the Cantonment Authority may, by noilee in writing, require him to remove the building or to after the sense to ills satisfaction, and if he fails to comply with such native, the sense to ills satisfaction, and if he fails to comply with such native, the control of the condition of the condition of the condition of the variety cause such removal or alteration to be affected and recover the cost from him.

Condition AXP—(1) So long as the Lessee shall (\*inly pay its aid rest Portions for breach of any II.

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Forting for the true of any adapted to C drings XVIII.

Bold the land for the true of any analyse to Service of the III.

Whose limited its forting for the true of any adapted to Service and III.

Whose limited for the true of any adapted to Service compared without information by the Service any of Size

(2) At the expiry of the said term of years the lesses may be granted a

To be atrack out in cases where it is intended that the lesse shall not be renewable

The words to brackets to be real to Hz Leroce shall [find to pay the said control it its lead is real-trees that Hz En of El days after the same shall become dann or shall become dann or shall become dann or shall in the avent of the said of God, fall to commence rebailing the same as provided in Condition III hereof within ais mouth of each destruction or injury and to re instate the same if for use as provided in the said Condition III bereof and wiblin such per out the same of the said condition is the same streeting predict or shall break any of the conditions remarked say specified to the same of the same

Condition XXVI - The Lesses shall not be entitled to compensation for any loss incurred by reason of anything done in pursuance of Condition XXIV, or Condition XXV, claume (2)

#### SCHEDULE VI-conold

Land and buildings to be delivered up at expiration of term without compensation and right of troverament to resume land prior to expiration of term To be struct on when sale clause (2) is to be ased

Condition XXVII-(1) At the expiration of the years the I case" shall deliver up to sald term of the Local Government and without receiving any compensation whatever the land comprised in this demise together with all erections and buildings which may be then standing thereon

To be struck out when it is intended that the learnaball be absolutely terminable at the soul at the Brad perior and the bolif-logs are to lapse to Government

(2) If at the expery of the and term of years the General Officer Commanding the Division in the exercise of his dis eretion declines to renew the lease, the leases shall deliver up to the Local Government and without any compensation whatever therefor the land comprised in this demise together with all erect one and buildings

which may be standing thereon on payment of compensation for such erections and

buildings only as shall have been erected under proper authority If there shall be any dispute as to the amount of such compensation, the same shall be referred to a Committee of Arbitration as heremafter provided

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1 80						
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- (a) The original cost of materials and construction
- (as) The condition of the buildings and their value at the date of resamption
- (110) The rest or profit (if say) or the equivalent which the I come may receive or enjoy from the use of the buildings or on second thereof
- (10) The period within which the buildings would become the property of Government without payment of any compensat on to the Leaves

The Leaves shall not at any time doring the said term remove the buildings erected on the said land or any part thereof nor make any structural alters tion thereof or addition thereto without the like written permusion mentioned in Condition II hereof



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